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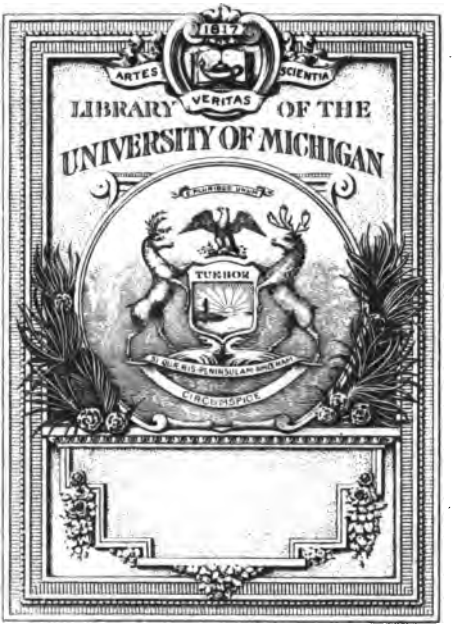

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THE

WORKS

OF

RICHARD HURD, D.D.

LORD BISHOP OF WORCESTER.

VOL. III.

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THE

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br. of Worcester

RICHARD HURD, D. D.

LORD BISHOP OF WORCESTER.

IN EIGHT VOLUMES.

VOL. III.

LONDON:

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MORAL AND POLITICAL DIALOGUES.

VOL. I.

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MORAL AND POLITICAL DIALOGUES,

WITH

LETTERS

ON

CHIVALRY AND ROMANCE.

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SACRED TO THE MEMORY

OF THE LATE

RALPH ALLEN, ESQ.

OF

PRIOR-PARK.

SI NOBIS ANIMVM BONI VIRI LICERET INSPICERE, O QVAM PVLCHRAM FACIEM, QVAM SANCTAM, QVAM EX MAGNIFICO PLACIDOQVE FVLGENTEM VIDEREMVS! NEMO ILLVM AMABILEM, QVI NON SIMVL VENERABILEM, DICERET.

SENECA.

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PREFACE,

ON THE

MANNER OF WRITING DIALOGUE.

THE former editions of these Dialogues were given without a name, and under the fictitious person of an Editor: not, the reader may be sure, for any purpose so silly as that of imposing on the Public; but for reasons of another kind, which it is not difficult to apprehend.

However, these reasons, whatever they were, subsisting no longer, the writer is now to appear in his own person; and the respect he owes to the public makes him think it fit to bespeak their acceptance of these volumes in another manner, than he supposed would be readily permitted to him, under his assumed character.

I. In an age, like this, when most men seem ambitious of turning writers, many persons may think it strange that the kind of composition, which

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was chiefly in use among the masters of this numerous and stirring family, hath been hitherto neglected.

When the ANCIENTS had any thing —

"But what," it will be said, "always the *Ancients?* "And are we never to take a pen in hand, but the "first question must still be, what our masters, the "ancients, have been pleased to dictate to us? ONE "man understands, that the ancient Ode was dis-"tinguished into several parts, called by I know "not what strange names; and then truly an Eng-"lish Ode must be tricked out in the same fantas-"tic manner. ANOTHER has heard of a wise, yet "merry, company called a Chorus, which was "always singing or preaching in the Greek Trage-"dies; and then, besure, nothing will serve but "we must be sung and preached to in ours. While "a THIRD is smitten with a tedious long-winded "thing, which was once endured under the name "of Dialogue; and strait we have Dialogues of this "formal cut, and are told withal, that no man may "presume to write them, on any other model."

Thus the modern critic, with much complacency and even gayety—But I resume the sentence I set out with, and observe, "WHEN THE ANCIENTS had any thing to say to the world on the subject either of morals or government, they generally chose the

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way of DIALOGUE, for the conveyance of their instructions; as supposing they might chance to gain a readier acceptance in this agreeable form, than any other."

Hæc adeo penitus curâ videre sagaci
Otia qui studiis læti tenuere decoris,
Inque ACADEMIA umbriferâ nitidoque LYCEO
Fuderunt claras fœcundi pectoris artes.

Such was the address, or fancy at least, of the wise ANCIENTS.

The MODERNS, on the contrary, have appeared to reverence themselves, or their cause, too much, to think that either stood in need of this oblique management. No writer has the least doubt of being favourably received in all companies, let him come upon us in what shape he will: and, not to stand upon ceremony, when he brings so welcome a present, as what he calls *Truth*, with him, he obtrudes it upon us in the direct way of Dissertation.

Nobody, I suppose, objects to this practice, when important truths indeed are to be taught, and when the abilities of the Teacher are such as may command respect. But the case is different, when writers presume to try their hands upon us, without these advantages. Nay, and even with them, it can do no hurt, when the subject is proper for familiar

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discourse, to throw it into this gracious and popular form.

I have said, *where the subject is proper for familiar discourse;* for all subjects, I think, cannot, or should not be treated in this way.

It is true, the inquisitive genius of the Academic Philosophy gave great scope to the freedom of debate. Hence the origin of the Greek Dialogue: of which, if PLATO was not the Inventor, he was, at least, the Model.

This sceptical humour was presently much increased; and every thing was now disputed, not for PLATO's reason (which was, also, his master's) for the sake of exposing *Falsehood* and discovering *Truth;* but because it was pretended that nothing could be certainly affirmed to be either *true* or *false.*

And, when afterwards CICERO, our other great master of Dialogue, introduced this sort of writing into Rome, we know that, besides his profession of the Academic Sect, now extended and indeed outraged into absolute scepticism, the very purpose he had in philosophizing, and the rhetorical uses to which he put his Philosophy, would determine him very naturally to the same practice.

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Thus all subjects, of what nature and importance soever, were equally discussed in the ancient Dialogue; till matters were at length brought to that pass, that the only end, proposed by it, was to shew the writer's dexterity in disputing for, or against any opinion, without referring his disputation to any certain use or conclusion at all.

Such was the character of the ancient, and especially of the Ciceronian Dialogue; arising out of the genius and principles of those times.

But for us to follow our masters in this licence would be, indeed, to deserve the objected charge of *servile Imitators;* since the reasons, that led them into it, do not subsist in our case. They disputed every thing, because they believed nothing. We should forbear to dispute some things, because they are such as both for their sacredness, and certainty, no man in his senses affects to disbelieve. At least, the Stoic BALBUS may teach us a decent reserve in *one* instance, *Since*, as he observes, *it is a wicked and impious custom to dispute against the Being, Attributes, and Providence of God, whether it be under an assumed character, or in one's own*[a].

Thus much I have thought fit to say, to prevent mistakes, and to shew of what kind the subjects are

[a] Mala et impia consuetudo est contra Deos disputandi, sive ex animo id fit, sive simulatè. *De Nat. D.* l. ii. c. 67.

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which may be allowed to enter into modern Dialogue. They are only such, as are either, in the strict sense of the word, *not* important, and yet afford an ingenuous pleasure in the discussion of them; or not *so* important as to exclude the sceptical inconclusive air, which the decorum of polite dialogue necessarily demands.

And, under these restrictions, we may treat a number of curious and useful subjects, in this form. The benefit will be that which the Ancients certainly found in this practice, and which the great master of life finds in the general way of candour and politeness,

— parcentis viribus, atque
Extenuantis eas consultò—

For, though Truth be not formally delivered in Dialogue, it may be insinuated; and a capable writer will find means to do this so effectually as, in discussing both sides of a question, to engage the reader insensibly on that side, where the Truth lies.

II. But *convenience* is not the only consideration. The NOVELTY of the thing, itself, may well recommend it to us.

For, when every other species of composition has been tried, and men are grown so fastidious as to

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receive with indifference the best modern productions, on account of the too common form, into which they are cast, it may seem an attempt of some merit to revive the only one, almost, of the ancient models, which hath not yet been made cheap by vulgar imitation.

I can imagine the reader will conceive some surprise, and, if he be not a candid one, will perhaps express some disdain, at this pretence to Novelty, in cultivating the *Dialogue-form.* For what, he will say, has been more frequently aimed at in our own, and every modern language? Has not every art, nay, every science, been taught in this way? And, if the vulgar use of any mode of writing be enough to discredit it, can there be room even for wit and genius to retrieve the honour of this trite and hackneyed form?

This, no doubt, may be said; but by those who know little of the ancient Dialogue, or who have not attended to the true manner in which the rules of good writing require it to be composed.

We have what are called Dialogues in abundance; and the authors, for any thing I know, might please themselves with imagining, they had copied PLATO or CICERO. But in our language at least (and, if I extended the observation to the other modern ones of most estimation, I should perhaps do them no

wrong) I know of nothing in the way of Dialogue that deserves to be considered by us with such regard.

There are in English THREE Dialogues, and but Three, that are fit to be mentioned on this occasion: all of them excellently well composed in their way, and, it must be owned, by the very best and politest of our writers. And had that way been a true one, I mean that which antiquity and good criticism recommend to us, the Public had never been troubled with this attempt from me, to introduce another.

The Dialogues I mean are, *The Moralists of Lord* SHAFTESBURY; *Mr.* ADDISON'S *Treatise on Medals; and the Minute Philosopher of Bishop* BERKELEY: and, where is the modesty, it will be said, to attempt the Dialogue-form, if it has not succeeded in such hands?

The answer is short, and, I hope, not arrogant. These applauded persons suffered themselves to be misled by modern practice; and with every ability to excel in this nice and difficult composition, have written beneath themselves, only because they did not keep up to the ancient standard.

An essential defect runs through them all. They have taken for their speakers, not real, but *fictitious*

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characters; contrary to the practice of the old writers; and to the infinite disadvantage of this mode of writing in every respect.

The love of truth, they say, is so natural to the human mind, that we expect to find the appearance of it, even in our amusements. In some indeed, the slenderest shadow of it will suffice: in others, we require to have the substance presented to us. In all cases, the degree of probability is to be estimated from the nature of the work. Thus, for instance, when a writer undertakes to instruct or entertain us in the way of Dialogue, he obliges himself to keep up to the *idea*, at least, of what he professes. The conversation may not have *really* been such as is represented; but we expect it to have all the *forms* of reality. We bring with us a disposition to be deceived (for we know his purpose is not to recite historically, but to feign probably); but it looks like too great an insult on our understandings, when the writer stands upon no ceremony with us, and refuses to be at the expence of a little art or management to deceive us.

Hence the probabilities, or, what is called the *decorum*, of this composition. We ask, "Who the "persons are, that are going to converse before us?" "where and when the conversation passed?" and "by what means the company came together?" If we are let into none of these particulars, or, rather

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if a way be not found to satisfy us in all of them, we take no interest in what remains; and give the speakers, who in this case are but a sort of Puppets, no more credit, than the opinion we chance to entertain of their Prompter demands from us.

On the other hand, when *such* persons are brought into the scene as are well known to us, and are entitled to our respect, and but so much address employed in shewing them as may give us a colourable pretence to suppose them really conversing together, the writer himself disappears, and is even among the first to fall into his own delusion. For thus CICERO himself represents the matter:

"This way of discourse," says he, "which turns "on the authority of real persons, and those the most "eminent of former times, is, I know not how, "more interesting than any other: in so much that "in reading my own Dialogue on *old age*, I am "sometimes ready to conclude, in good earnest, it "is not I, but CATO himself, who is there speak-"ing [b]."

So complete a deception, as this, requires the hand of a master. But such CICERO was; and had

[b] Genus hoc sermonum, positum in hominum veterum auctoritate, et eorum illustrium, plus nescio quo pacto videtur habere gravitatis. Itaque ipse mea legens, sic afficior interdum, ut Catonem, non me loqui existimem. CIC. *De Amic.* c. 1.

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it been his design to make the highest encomium of his own Dialogues, he could not, perhaps, have done it so well by any other circumstance.

But now this advantage is wholly lost by the introduction of *fictitious persons*. These may do in *Comedy*; nay, they do the best there, where *character* only, or chiefly, is designed. In *Dialogue*, we must have real persons, and those only: for character here is but a secondary consideration; and there is no other way of giving weight and authority to the conversation of the piece.

And here, again, CICERO may instruct us; who was so scrupulous on this head that he would not put his discourse on *old age* into the mouth of TITHONUS, although a Greek writer of name had set him the example, *because*, as he observes, *a fabulous person would have had no great authority* [c]. What then would he have said of merely fancied and *ideal* persons, who have not so much as that shadowy existence, which the plausibility of a current tale bestows?

When I say that *character is but a secondary consideration* in Dialogue, the reader sees I confine myself to that species only, which was in use among

[c] Omnem sermonem tribuimus non Tithono, ut Aristo Chius; *parum enim esset auctoritatis in fabulâ*. De Senect. c. 1.

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the *ancients*, properly so called; and of which PLATO and CICERO have left us the best models.

It is true, in later times, a great wit took upon him to extend the province of Dialogue, and, like another Prometheus [d], (as, by an equivocal sort of compliment, it seems, was observed of him) created a new species; the merit of which consists in associating two things, not naturally allied together, *The severity of Philosophic Dialogue, with the humour of the Comic.*

But as unnatural as the alliance may seem, this sort of composition has had its admirers. In particular, ERASMUS was so taken with LUCIAN's Dialogue, that he has transfused its highest graces into his own; and employed those fine arms to better purpose against the Monks, than the forger of them had done against the Philosophers.

It must further be confessed, that this innovation of the Greek writer had some countenance from the genius of the old Socratic Dialogue; such I mean as it was in the hands of SOCRATES himself [e]; who took his name of IRONIST from the continued humour and ridicule which runs through his moral discourses. But, besides that the Athenian's modest

[d] See the Dialogue intituled, Πρὸς τὸν εἰπόντα, ΠΡΟΜΗΘΕΥΣ εἶ ἐν λόγοις.

[e] Ἐπαίζειν ἅμα σπουδάζων Xen. Mem. l. i. c. 3.

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IRONY was of another taste, and better suited to the decorum of conversation, than the Syrian's frontless buffoonery, there was this further difference in the two cases. SOCRATES employed this method of ridicule, as the only one by which he could hope to discredit those mortal foes of reason, the SOPHISTS: LUCIAN, in mere wantonness, to insult its best friends, the PHILOSOPHERS, and even the parent of Philosophy, himself. The Sage would have dropped his IRONY, in the company of the good and wise: The Rhetorician is never more pleased than in confounding both, by his intemperate SATIRE.

However, there was likeness enough in the features of each *manner*, to favour LUCIAN's attempt in compounding his new Dialogue. He was not displeased, one may suppose, to turn the comic art of SOCRATES against himself; though he could not but know that the ablest masters of the Socratic school employed it sparingly; and that, when the illustrious Roman came to philosophize in the way of Dialogue, he disdained to make any use of it at all.

In a word, as it was taken up, to serve an occasion, so it was very properly laid aside with it. And even while the occasion lasted, this humorous manner was far enough, as I observed, from being pushed to a Scenic license; the great artists in this way knowing very well, that, when SOCRATES brought

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Philosophy from Heaven to Earth, it was not his purpose to expose her on the stage, but to introduce her into good company.

And here, to note it by the way, what has been observed of the Ironic manner of the Socratic Dialogue, is equally true of its *subtle questioning dialectic genius.* This, too, had its rise from the circumstances of the time, and the views of its author, who employed it with much propriety and even elegance to entrap, in their own cobweb nets, the minute, quibling captious sophists. How it chanced that this part of its character did not, also, cease with its use, but was continued by the successors in that school, and even carried so far as to provoke the ridicule of the wits, till, at length, it brought on the just disgrace of the Socratic Dialogue itself, all this is the proper subject of another inquiry.

Our concern, at present, is with LUCIAN's Dialogue; whether he were indeed the inventor of this species, or, after SOCRATES, only the espouser of it.

The account, given above, that *it unites and incorporates the several virtues of the Comic and Philosophic manner,* is in LUCIAN's own words[f]. Yet his Dialogue does not, as indeed it could not,

[f] Γέλωτα κωμικὸν ὑπὸ σεμνότητι φιλοσόφῳ. Προμηθ. c. 7.

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correspond exactly to this idea. CICERO thought it no easy matter to unite *Philosophy with Politeness and Good-humour* [g]; what then would he have said of incorporating *Philosophy, with Comic Ridicule?*

To do him justice, LUCIAN himself appears sensible enough of the difficulty. *I have presumed,* says he, *to connect and put together two things, not very obsequious to my design, nor disposed by any natural sympathy to bear the society of each other* [h]. And therefore we find him on all occasions more solicitous for the success of this hazardous enterprise, than for the credit of his invention. Every body was ready to acknowledge the novelty of the thing; but he had some reason to doubt with himself, whether it were gazed at as a monster, or admired as a just and reasonable form of composition. So that not being able to resolve this scruple to his satisfaction, he extricates himself, as usual, from the perplexity, by the force of his comic humour, and concludes at length, *that he had nothing left for it but to persevere in the choice he had once made;* that is, to preserve the credit of his own consistency at least, if he could

g Difficillimam illam societatem *Gravitatis cum Humanitate.* *Leg.* l. iii. c. 1.

h Ἐτολμήσαμεν ἡμεῖς τὰ ἔτως ἔχοντα πρὸς ἄλληλα ξυναγαγεῖν καὶ ξυναρμόσαι, ἐ πάνυ πειθόμενα, ὐδὲ εὐμαρῶς ἀνεχόμενα τὴν κοινωνίαν. Προμηθ. c. 7.

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not prevail to have his Dialogue accepted by the judicious reader, under the idea[i] of a consistent *composition.*

The ingenious writer had, surely, no better way to take, in his distress. For the two excellencies he meant to incorporate in his Dialogue cannot, in a supreme degree of each, subsist together. The one must be sacrificed to the other. Either the philosophic part must give place to the dramatic; or the dramatic must withdraw, or restrain itself at least, to give room for a just display of the philosophic.

And this, in fact, as I observed, is the case in LUCIAN's own Dialogues. They are highly dramatic, in which part his force lay; while his Philosophy serves only to edge his wit, or simply to introduce it. They have, usually, for their subject, not a QUESTION DEBATED; but, a TENET RIDICULED, or a CHARACTER EXPOSED. In this view, they are doubtless inimitable: I mean when he kept himself, as too frequently he did not, to such *tenets* or *characters,* as deserve to be treated in this free manner.

But after all, the other species, the *serious, philosophic* Dialogue, is the noblest and the best. It

[i] Προμηθ. c. 7. to the end. Δὶς καληγορέμενον. c. 33. and Ζεῦξις.

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is the *noblest*, in all views; for the dignity of its subject, the gravity of its manner, and the importance of its end. It is the *best*, too; I mean, it excels most in the very truth and art of composition; as it governs itself entirely by the rules of decorum, and gives a just and faithful image of what it would represent: whereas the comic Dialogue, distorting, or, at least, aggravating the features of its original, pleases at some expence of probability; and at length attains its end but in part, for want of *dramatic action*, the only medium through which *humour* can be perfectly conveyed.

Thus the serious Dialogue is absolute in itself; and fully obtains its purpose: the humorous or characteristic, but partially; and is, at best, the faint copy of a higher species, the *Comic Drama*.

However, the authority of LUCIAN is so great, and the manner itself so taking, that for these reasons, but chiefly for the sake of variety, the FIRST of the following Dialogues (and in part too, the SECOND) pretends to be of this class.

But to return to our proper subject, THE SERIOUS OR PHILOSOPHIC DIALOGUE.

1. I observed (and the reason now appears) that *character* is a subordinate consideration, in this Dialogue. The *manners* are to be given indeed,

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but sparingly, and, as it were, by accident. And this grace (which so much embellishes a well-composed work) can only be had by employing REAL, KNOWN, and RESPECTED speakers. Each of these circumstances, in the choice of a speaker, is important. The *first*, excites our curiosity: the *second*, affords an easy opportunity of painting the manners by those slight and careless strokes, which alone can be employed for this purpose, and which would not sufficiently mark the characters of unknown or fictitious persons: and the *last* gives weight and dignity to the whole composition.

By this means, the dialogue becomes, in a high degree, natural, and, on that account, affecting: a thousand fine and delicate allusions to the principles, sentiments, and history of the Dialogists keep their characters perpetually in view: we have a rule before us, by which to estimate the pertinence and propriety of what is said: and we are pleased to bear a part, as it were, in the conversation of such persons.

Thus the old writers of Dialogue charm us, even when their subjects are unpleasing, and could hardly merit our attention: but when the topics are of general and intimate concern to the reader, by being discussed in this form, they create in him the keenest appetite; and are, perhaps, read with a higher pleasure, than we receive from most other compositions of literary men.

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2. It being now apprehended what *persons* are most fit to be shewn in Dialogue, the next inquiry will be, concerning their *style or manner of expression.* And this, in general, must be suited to the condition and qualities of the persons themselves: that is, it must be grave, polite, and something raised above the ordinary pitch or tone of conversation; for, otherwise, it would not agree to the ideas we form of the speakers, or to the regard we owe to *real, known,* and *respected* persons, seriously debating, as the philosophic dialogue imports in the very terms, on some useful or important subject.

Thus far the case is plain enough. The conclusion flows, of itself, from the very idea of a philosophic conversation between such men.

But as it appeared that the speaker's *proper manners* are to be given, in this Dialogue, it may be thought (and, I suppose, commonly is thought) that the speaker's *proper style or expression* should be given, too.

Here the subject begins to be a little nice; and we must distinguish between the *general cast* of expression, and its *smaller and more peculiar features.*

As to the *general cast or manner of speaking,* it may be well to preserve some resemblance of it;

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for it results so immediately from the speaker's character, and sometimes makes so essential a part of it, that the *manners* themselves cannot, otherwise, be sufficiently expressed.

Accordingly CICERO tells us, that, in his Dialogues of the *complete Orator*, he had *endeavoured to shadow out*, that is, give the outline, as it were, of the kind of eloquence, by which his chief speakers, CRASSUS and ANTONIUS, were severally distinguished [k]. This attention has certainly no ill effect when the *manners of speaking*, as here, are sufficiently distinct, and generally known. It was, besides, essentially necessary in this Dialogue, where the subject is, of eloquence itself; and where the principal persons appeared, and were accordingly to be represented, in the light and character of *speakers*; that is, where their different kinds or manners of speaking were, of course, to be expressed.

In Dialogues on other subjects, CICERO himself either neglects this rule, or observes it with less care [l]; and this difference of conduct is plainly justified, from the reason of the thing.

k —— quo in genere orationis utrumque Oratorem cognoveramus, id ipsum sumus in eorum sermone *adumbrare conati*. De Orat. iii. 4.

l A curious passage, or two, in his Letters to Atticus, will serve to illustrate this observation. The *academic questions* were

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But now when the question is, of the *smaller features and more peculiar qualities of style or expression*, it will be found that the writer of Dialogue is under no obligation, either from the reason of the thing, or the best authorities, to affect a resemblance of that kind.

Authorities, I think, there are none, or none at least that deserve to be much regarded; though I remember what has been observed of an instance or two of this sort, in some of PLATO's Dialogues, where his purpose is, to *expose a character*, not to *debate a philosophic question*: and for *the impropriety of the thing itself*, it may appear from the following considerations.

drawn up, and finished, when a doubt occurred to him, whether he should not change one of the speakers in that Dialogue, and, instead of Varro, introduce Brutus; who would suit his purpose, he said, just as well, because his philosophic principles were the same with those of Varro—*si addubitas*, says he to Atticus, *ad Brutum transeamus. Est enim is quoque Antiochius.* l. xiii. 25. Was this a change to be easily made, if it were necessary, in this kind of writing, to suit the *style* and *manner of expression* to the character of the speakers? Yet, hear how negligently he treats this matter—*Opinor igitur consideremus, etsi nomina jam facta sunt. Sed* VEL INDUCI, VEL MUTARI POSSUNT. l. xiii. 14.——In other words, provided the *cast* of the several parts was the same, the *language* of the Dialogue would require no alteration. It was indifferent, in this respect, who were the speakers.

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In general, the reason, why *character* is preserved in this Dialogue, is, because such speakers, as are introduced in it, cannot be supposed to converse for any time on a subject of importance without discovering something of their own *peculiar manners*; though the occasion may not be warming enough to throw them out with that distinctness and vivacity, which we expect in the progress of a dramatic plot. But as to the *language of conversation*, it is so much the same between persons of education and politeness, that, whether the subject be interesting, or otherwise, all that you can expect is that the *general cast of expression* will be somewhat tinctured by the *manners*, which shine through it; but by no means that the smaller differences, the nicer peculiarities of style, will be shewn.

Or, we may take the matter thus:

The reason, why the *general cast or kind of expression* is different in two speakers, is, because their *characters* are different, too. But *character* has no manner of influence, in the ease and freedom of conversation, on the *idiomatic differences* of expression; which flow not from the *manners*, but from some degree of study and affectation, and only characterize their written and artificial works.

Thus, for instance, if SALLUST and CICERO had come together in conversation, the *former* would

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certainly have dropped his *new words and pointed sentences*: and the *latter* his *numerous oratorial periods*. All that might be expected to appear, is, that SALLUST's expression would be shorter and more compact; CICERO's more gracious and flowing, agreeably to the characters of the two men.

But there is a further reason why these *characteristic peculiarities of style* must not be exhibited, or must be infinitely restrained at least, in the sort of composition we are now considering. It is, that the studied imitation of such peculiarities would be what we call *mimickry*; and would therefore border upon *ridicule*, the thing of all others which the genius of this Dialogue most abhors. In Comedy itself, the most exact writers do not condescend to this minute imitation. TERENCE's characters all express themselves, I think, with equal elegance: even his slaves are made to speak as good Latin, as their masters. In the serious Dialogue, then, which, from its nature, is, in a much lower degree, *mimetic*, that minute attention can by no means be required. It will be sufficient that the speakers express themselves in *the same manner*, that is, (provided the *general cast* of expression be suited to their respective characters) *in the writer's own*.

If there be any exception from this rule, it must be, when the peculiarities of expression are so great, and so notorious, that the reader could hardly

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acknowledge the speaker in any other dress, than that of his own style. Hence it is possible, though CICERO has left us no example of this sort, that if, in the next age, any one had thought fit to introduce MÆCENAS into Dialogue, he might perhaps have been allowed to colour his language with some of those *spruce turns and negligent affectations*, by which, as a writer, he was so well known. It is, at least, on this principle that the Author of the following Dialogues must rest his apology for having taken such liberty, in *one or two instances, only:* in which, however, he has confined his imitation to the single purpose of exhibiting some degree of likeness to their acknowledged manner of expression, without attempting to expose it in any strong or invidious light. And, after all, if even this liberty, so cautiously taken, be thought too much, he will not complain of his critics; since the fault, if it be one, was committed rather in compliance with what he supposed might be the public judgment, than with his own.

The reader has now before him a sketch of what I conceive to be the *character* of the ancient philosophic Dialogue; which, in one word, may be said to be, "An imitated, and mannered conversa-"tion between certain real, known, and respected "persons, on some useful or serious subject, in an "elegant, and suitably adorned, but not characte-"ristic style."

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At least, I express, as I can, my notion of CICERO's Dialogue, which unites these several characters; and, by such union, has effected, as it seems to me, all that the nature of this composition requires or admits.

This, I am sensible, is saying but little, on the subject. But I pretend not to do justice to CICERO's DIALOGUES; which are occasionally set off by that lively, yet chaste colouring of the *manners*, and are, besides, all over sprinkled with that exquisite grace of, what the Latin writers call, *urbanity*, (by which, they meant as well what was most polite in the *air* of conversation, as in the language of it) that there is nothing equal to them, in Antiquity itself: and I have sometimes fancied, that even LIVY's Dialogues[1], if they had come down to us, would perhaps have lost something, on a comparison with these master-pieces of CICERO's pen.

3. But to this apology for the ancient Dialogue, I suspect it will be replied, "That though, in the hands of the Greek and Latin writers, it might, heretofore, have all this grace and merit, yet who shall pretend to revive it in our days? or, how shall we enter into the spirit of this composition, for which there is no encouragement, nor so much as the countenance of example in real life? No man writes well, but from his own experience and observation:

[1] Scripsit enim et DIALOGOS quos non magis philosophiæ annumerare possis, quam HISTORIÆ. SENECA, EP. C.

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and by whom is the way of dialogue now practised? or, where do we find such precedents of grave and continued conversation in modern times?"

A very competent judge, and one too, who was himself, as I have observed, an adventurer in this class of composition, puts the objection home in the following words:

"The truth is," says he, "it would be an abo-
"minable falsehood, and belying of the age, to put
"so much good sense together in any *one* conversa-
"tion, as might make it hold out steadily, and with
"plain coherence, for an hour's time, till any *one*
"subject had been rationally examined[m]."

Nor is this the only difficulty. *Another* occurs, from the prevailing manners of modern times, which are over-run with respect, compliment, and ceremony. "Now put *compliments*," says the same writer, "put *ceremony* into a Dialogue, and see
"what will be the effect! This is the plain *dilemma*
"against that ancient manner of writing—if we
"avoid ceremony, we are unnatural: if we use it,
"and appear as we naturally are, as we salute, and
"meet, and treat one another, we hate the sight[n]."

These considerations are to the purpose; and shew perhaps in a mortifying manner, that the mo-

[m] Lord SHAFTESBURY's *Moralists*, P. I. S. I.
[n] *Adv. to an Author*, P. I. S. III.

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dern writers of Dialogue, the very best of them, cannot aspire to the unrivalled elegance of the ancient; as being wholly unfurnished of many advantages, to this end, which they enjoyed. But still the *form* of writing itself is neither impracticable, nor unnatural: and there are certain *means*, by which the disadvantages, complained of, may be lessened at least, if not entirely removed.

To begin with the LAST. It is very true, that the constraint of a formal and studied civility is foreign to the genius of this sort of composition; and it is, also, as true, that somewhat of this constrained civility is scarce separable from a just copy and faithful picture of conversation in our days. The reason of which is to be gathered from the nature of our policies and governments. For conversation, I mean the serious and manly sort, as well as eloquence, is most cultivated and thrives best amidst the quality of conditions in republican and popular states.

And, though this inconvenience be less perceived by us of this free country than by most others, yet something of it will remain wherever monarchy, with its consequent train of subordinate and dependent ranks of men, subsists.

Now the proper remedy in the case is, to bring such men only together in Dialogue as are of the

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same rank; or at least to class our speakers with such care as that any great inequality in that respect may be compensated by some other; such as the superiority of age, wisdom, talents, or the like. A Chancellor of *England* and a Country Justice, or even a Lord and his Chaplain, could hardly be shewn in Dialogue, without incurring some ridicule. But a Judge and a Bishop, one would hope, might be safely brought together; and if a great Philosopher should enter into debate with a lettered Man of Quality, the indecorum would not be so violent as to be much resented.

But the influence of modern manners reaches even to names and the ordinary forms of address. In the Greek and Roman Dialogues, it was permitted to accost the greatest persons by their obvious and familiar appellations. ALCIBIADES had no more addition, than SOCRATES: and BRUTUS and CÆSAR lost nothing of their dignity from being applied to in those direct terms. The moderns, on the contrary, have their guards and fences about them; and we hold it an incivility to approach them without some decent periphrasis, or ceremonial title —

——— gaudent prænomine molles
Auriculæ.

It was principally, I believe, for this reason, that modern writers of Dialogue have had recourse to

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fictitious names and characters, rather than venture on the use of real ones: the *former* absolving them from this cumbersome ceremony, which, in the case of the *latter*, could not so properly be laid aside. PALÆMON and PHILANDER, for instance, are not only well-sounding words; but slide as easily into a sentence, and as gracefully too, as CICERO and ATTICUS: while the *Mr's* and the *Sirs*, nay his *Grace*, his *Excellency*, or his *Honour*[o], of modern Dialogue, have not only a formality that hurts the ease of conversation, but a harshness too, which is somewhat offensive to a well-tuned Attic or Roman ear.

All this will be allowed; and yet, to speak plainly and with that freedom which ancient manners indulge, the barbarity of these forms is not worse than the pedantry of taking such disgust at them. And there are ways, too, by which the most offensive circumstances in this account may be so far qualified as to be almost overlooked, or at least endured. What *these* are, the capable and intelligent reader or writer is not to be told; and none but such would easily apprehend.

To come then to the OTHER objection of Lord SHAFTESBURY, which is more considerable.

It would be a manifest falsehood, he thinks, and directly against the truth both of art and nature, to

o *Adv. to an Author*, P. 1. towards the end.

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engage the moderns in a grave discourse of any length. And it is true, the great men of our time do not, like the Senators of ancient *Rome*, spend whole days in learned debate and formal disputation: yet their meetings, especially in private parties, with their friends, are not so wholly frivolous, but that they sometimes discourse seriously, and even pursue a subject of learning or business, not with coherence only, but with some care. And will not this be ground enough for a capable writer to go upon, in reviving the way of Dialogue between such men?

But, to give the most probable air to his fiction, he may find it necessary to recede from the strict imitation of his originals, in one instance.

It may be advisable not to take for his speakers, *living persons*; I mean, persons, however respectable, of his own age. We may fancy of the dead, what we cannot so readily believe of the living. And thus, by endeavouring a little to deceive ourselves, we may come to think that natural, which is not wholly incredible; and may admit the writer's invention for a picture, though a studied and flattering one, it may be, of real life.

In short, it may be a good rule in modern Dialogue, as it was in ancient Tragedy, to take our subjects, and choose our persons, out of former

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times. And, under the prejudice of that opinion which is readily entertained of such subjects and characters, an artist may contrive to pass that upon us for *Fact*, which was only ingenious *Fiction*; and so wind up his piece to the perfection of ancient Dialogue, without departing too widely from the decorum and truth of conversation in modern life.

Such at least is the IDEA, which the Author of these Dialogues has formed to himself of the manner in which this exquisite sort of composition may be attempted by more successful writers. For to conceive an excellence, and to copy it, he understands and laments, are very different things.

THURCASTON.
MDCCLXIV.

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MORAL AND POLITICAL DIALOGUES.

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DIALOGUE I.

ON SINCERITY IN THE COMMERCE OF THE WORLD:

BETWEEN

DR. HENRY MORE,

AND

EDMUND WALLER, ESQ.

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DIALOGUE I.

ON SINCERITY IN THE COMMERCE OF THE WORLD.

DR. HENRY MORE, EDMUND WALLER, ESQ.

MR. WALLER.

ENOUGH, enough, my friend, on the good old chapter of *Sincerity and Honour*. Your rhetoric, and not your reasoning, is too much for me. Believe it, your fine stoical lessons must all give way to a little common sense, I mean, to a prudent accommodation of ourselves to times and circumstances; which, whether you will dignify it with the name of philosophy, or no, is the only method of living with credit in the world, and even with safety.

DR. MORE.

Accommodation is, no doubt, a good word to stand in the place of insincerity. But, pray,

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DIALOGUE I. in which of the great moral masters have you picked up this term, and, much more, the virtuous practice, it so well expresses?

MR. WALLER.

I learnt it from the great master of life, EXPERIENCE: A doctor, little heard of in the schools, but of more authority with men of sense, than all the solemn talkers of the porch, or cloister, put together.

DR. MORE.

After much reserve, I confess, you begin to express yourself very clearly. But, good Sir, not to take up your conclusion too hastily, have the patience to hear —

MR. WALLER.

Have I not, then, heard, and sure with patience enough, your studied harangues on this subject? You have discoursed it, I must own, very plausibly. But the impression, which fine words make, is one thing, and the convic-

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tion of reason, another. And, not to waste more time in fruitless altercation, let ME, if you please, read you a lecture of morals: not out of ancient books, or the visions of an unpractised philosophy, but from the schools of business and real life. Such a view of things will discredit these high notions, and may serve, for the future, to amend and rectify all your systems.

DR. MORE.

Commend me to a man of the world, for a rectifier of moral systems!—Yet, if it were only for the pleasure of being let into the secrets of this new doctrine of *Accommodation*, I am content to become a *patient* hearer, in my turn; and the rather, as the day, which, you see, wears apace, will hardly give leave for interruption, or indeed afford you time enough for the full display of your wit on this extraordinary subject.

MR. WALLER.

We have day enough before us, for the business in hand. 'Tis true, this wood-land walk has not the charms, which you lately bestowed

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DIALOGUE I. on a certain *philosophical garden* [a]. But the heavens are as clear, and the air, that blows upon us, as fresh, as in that fine evening which drew your friends abroad, and engaged them in a longer debate, than that with which I am now likely to detain you. For, indeed, I have only to lay before you the result of my own experience and observation. All my arguments are plain facts, which are soon told, and about which there can be no dispute. You shall judge for yourself, how far they will authorize the conclusion I mean to draw from them.

The point, I am bold enough to maintain against you philosophers, is, briefly, this; "That *sincerity*, or a scrupulous regard to "*truth* in all our conversation and behaviour, "how specious soever it may be in theory, is "a thing impossible in practice; that there is "no living in the world on these terms; and "that a man of business must either quit the "scene, or learn to temper the strictness of "your discipline with some reasonable accom-"modations. It is exactly the dilemma of the "poet,

"Vivere si recte nescis, discede peritis;

[a] The scene of Dr. MORE's DIVINE DIALOGUES, printed in 1668.

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"of all which I presume, as I said, to offer my "own experience, as the shortest and most con-"vincing demonstration." DIALOGUE I.

DR. MORE.

The subject, I confess, is fairly delivered, and nothing can be juster than this appeal to experience, provided you do not attempt to delude yourself or me by throwing false colours upon it.

MR. WALLER.

It will be your business to remonstrate against these arts, if you discover any such. My intention is to proceed in the way of a direct and simple recital.

"I was born, as you know, of a good family, and to the inheritance of this paternal seat [b], with the easy fortune that belongs to it. To this, I succeeded but too soon by the untimely loss of an excellent father. His death, however, did not deprive me of those advantages

[b] At BEACONSFIELD in *Bucks*, the supposed scene of the Dialogue.

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DIALOGUE I. which are thought to arise from a strict and virtuous education. This care devolved on my mother, a woman of great prudence, who provided for my instruction in letters and every other accomplishment. I was, of myself, enough inclined to books, and was supposed to have some parts which deserved cultivation. I was accordingly trained in the study of those writings, which are the admiration of men of elegant minds and refined morals. I was a tolerable master of the languages, in which they are composed; and, I may venture to say, was at least imbued with their notions and principles, if I was not able at that time to catch the spirit of their composition: all which was confirmed in me, by the constant attendance and admonitions of the best tutors, and the strict discipline of your colleges. I mention these things to shew you, that I was not turned loose into the world, as your complaint of men of business generally is, unprincipled and uninstructed; and that what austere men might afterwards take for some degree of libertinism in my conduct, is not to be charged on the want of a sober or even learned education."

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DR. MORE. 5

I understand you mean to take no advantage of that plea, if what follows be not answerable to so high expectations.

MR. WALLER. 6

The season was now come, when my rank and fortune, together with the solicitations of my friends, drew me forth, though reluctantly, from the college into the world. I was then, indeed, under twenty; but so practised in the best things, and so enamoured of the moral lessons which had been taught me, that I carried with me into the last parliament of king James, not the showy accomplishments of learning only, but the high enthusiasm of a warm and active virtue. Yet the vanity, it may be, of a young man, distinguished by some advantages, and conscious enough of them, was, for a time, the leading principle with me. In this disposition, it may be supposed, I could not be long without desiring an introduction to the court. It was not a school of that virtue I had been used to, yet had some persons in it of eminent worth and honour. A vein of poetry, which seemed to flow naturally from me, was

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DIALOGUE I.

that by which I seemed most ambitious to recommend myself [c]. And occasions quickly offered for that purpose. But this was a play of ingenuity in which the heart had no share. I made complimentary verses on the great lords and ladies of the court, with as much simplicity and as little meaning as my bows in the drawing room, and thought it a fine thing to be taken notice of, as a wit, in the fashionable circles. In the mean time, the corruptions of a loose disorderly court gave me great scandal. And the abject flatteries, I observed in some of the highest stations and gravest characters, filled me with indignation. As an instance of this, I can never forget the resentment, that fired my young breast at the conversation you have often heard me say I was present at, betwixt the old king, and two of his court prelates [d]. And if the prudent and witty turn, the venerable bishop of *Winchester* gave to the discourse, had not atoned, in some measure, for the rank offensive servility of the *other*, it had been enough to determine me, forthwith, to an implacable hatred of kings and courts for ever.

[c] See his works, where are some pieces of a very early date; though Lord CLARENDON tells us, *he was near thirty years of age, before he was much taken notice of as a Poet.* Contin. of his Life, P. I. p. 25.

[d] Dr. ANDREWS, bishop of *Winchester*, and Dr. NEAL, bishop of *Durham*. The story is well known.

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DR. MORE.

It must be owned the provocation was very gross, and the offence taken at it no more than a symptom of a generous and manly virtue.

MR. WALLER.

It left a deep impression on my mind; yet it did not hinder me from appearing at court in the first years of the following reign, when the vanity of a thoughtless muse, rather than any relaxation of my ancient manners, drew from me, again, some occasional panegyrics on greatness; which being presented in verse, I thought would hardly be suspected of flattery.

DR. MORE.

This indulgence of a *thoughtless muse* (as you call it) was not without its danger. I am afraid this must pass for the first instance of your sacrificing to INSINCERITY.

MR. WALLER.

Your fears are too hasty. This was still a trial of my wit: and after a few wanton circles,

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DIALOGUE I. as it were to breathe and exercise my muse, I drew her in from these amusements to a stricter manage and more severe discipline. The long interval of parliaments now followed; and in this suspension of business I applied myself to every virtuous pursuit that could be likely to improve my mind, or purify my morals. Believe me, I cannot to this day, without pleasure, reflect on the golden hours, I passed in the society of such accomplished men as FALKLAND, HYDE, and CHILLINGWORTH. And, for my more retired amusements at this place, you will judge of the good account I might render of these, when I add, they were constantly shared with that great prelate, who now, with so much dignity, fills the throne of *Winchester*[e].

DR. MORE.

This enthusiasm of your's is catching, and raises in me an incredible impatience to come at the triumphs of a virtue, trained and perfected in her best school, the conversation of heroes and sages.

[e] DR. GEORGE MORLEY.

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You shall hear. The jealousies, that had alarmed the nation for twelve years, were now to have a vent given them, by the call of the parliament in *April* 1640. As the occasion, on which it met, was in the highest degree interesting, the assembly itself was the most august, that perhaps had ever deliberated on public councils. There was a glow of honour, of liberty, and of virtue in all hearts, in all faces: and yet this fire was tempered with so composed a wisdom, and so sedate a courage, that it seemed a synod of heroes; and, as some would then say of us, could only be matched by a senate of old Rome in its age of highest glory. To this parliament I had the honour to be deputed, whither I went with high-erected thoughts, and a heart panting for glory and the true service of my country. The dissolution, which so unhappily followed, served only to increase this ardour. So that, on our next meeting in *November*, I went freely and warmly into the measures of those, who were supposed to mean the best. I voted, I spoke, I impeached [f]. In a word, I gave a free scope

[f] This alludes to the impeachment of Mr. *Justice* CRAWLEY, *July* 6, 1641, for his extra-judicial opinion in the affair of *Ship-money*. Mr. WALLER's speech on this occasion is extant amongst his works.

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DIALOGUE I. to those generous thoughts and purposes which had been collecting in me for so many years, and was in the foremost rank of those, whose pulse beat highest for liberty, and who were most active for the interest of the public.

DR. MORE.

This was indeed a triumph, the very memory of which warms you to this moment. So bright a flame was not easily extinguished.

MR. WALLER.

It continued for some time in all its vigour. High as my notions were of public liberty, they did not transport me, with that zeal which prevailed on so many others, to act against the just prerogative of the crown, and the ancient constitution. I owe it to the conversation and influence of the excellent society, before-mentioned, that neither the spirit, the sense, nor, what is more, the relationship and intimate acquaintance of Mr. HAMPDEN[5], could ever biass me to his deeper designs, or any irreverence to

[5] The famous Mr. HAMPDEN was his uncle.

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the unhappy king's person. Many things concurred to preserve me in this due mean. The violent tendencies of many councils on the parliament's side; many gracious and important compliances on the king's; the great examples of some who had most authority with good men; and, lastly, my own temper, which, in its highest fervours, always inclined to moderation; these and other circumstances kept me from the excesses, on either hand, which so few were able to avoid in that scene of public confusion.

DR. MORE.

This moderation carries with it all the marks of a real and confirmed virtue.

MR. WALLER.

I rather expected you would have considered it as another *sacrifice to Insincerity*. Such, I remember, was the language of many at that time. The enthusiasts on both sides agreed to stigmatize this temper with the name of *Neutrality*. Yet this treatment did not prevent me, when the war broke out, from taking a course, which I easily foresaw, would tend to

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DIALOGUE I.

increase such suspicions; for now, to open a fresh scene to you, I had assumed, if not new principles, yet new notions of the manner in which good policy required me to exert my old ones. The general virtue, or what had the appearance of it at least, had hitherto made plain-dealing an easy and convenient conduct. But things were now changed. The minds of all men were on fire: deep designs were laid, and no practice stuck at that might be proper to advance the execution of them. In this situation of affairs, what could simple honesty do, but defeat the purpose and endanger the safety of its master? I now, first, began to reflect that this was a virtue for other times: at least, that not to qualify it, in some sort, was, at such a juncture, not honesty, but imprudence: and when I had once fallen into this train of thinking, it is wonderful how many things occurred to me to justify and recommend it. The humour of acting always on one principle was, I said to myself, like that of sailing with one wind: whereas the expert mariner wins his way by plying in all directions, as occasions serve, and making the best of all weathers. Then I considered with myself the bad policy, in such a conjuncture, of CATO and BRUTUS, and easily approved in my own mind the more pliant and conciliating me-

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thod of CICERO. Those stoics, thought I, ruined themselves and their cause by a too obstinate adherence to their system. The liberal and more enlarged conduct of the academic, who took advantage of all winds that blew in that time of civil dissension, had a chance at least for doing his country better service. Observation, as well as books, furnish me with these reflections. I perceived with what difficulty the Lord FALKLAND's rigid principles had suffered him to accept an office of the greatest consequence to the public safety[h]: and I understood to what an extreme his scruples had carried him in the discharge of it[i]. This, con- DIALOGUE I.

[h] That of *Secretary of State*. The Lord CLARENDON tells us it was with the utmost difficulty he persuaded him to accept it. "There were two considerations (says the historian) that made most impression on him; the *one*, lest the world should believe that his own ambition had procured this promotion, and that he had therefore appeared signally in the house to oppose those proceedings, that he might thereby render himself gracious to the court: The *other*, lest the king should expect such a submission and resignation of himself and his own reason and judgment to his commands as he should never give or pretend to give; for he was so severe an adorer of truth, that he would as easily have given himself leave to steal as to dissemble," &c. B. iv.

[i] The noble historian, before cited, gives us two instances of Lord FALKLAND's scrupulosity. The *one* was, "That he could never bring himself to employ spies, or

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DIALOGUE I.

cluded I, can never be the office of virtue in such a world, and in such a period. And then that of the poet, so skilled in the knowledge of life, occurred to me,

—aut virtus nomen inane est,
Aut decus et pretium recte petit EXPERIENS vir;

that is, as I explained it, "The man of a ready and dexterous turn in affairs; one who knows how to take advantage of all circumstances, and is not restrained, by his bigotry, from varying his conduct, as occasions serve, and making, as it were, *experiments* in business."

DR. MORE.

You poets, I suppose, have an exclusive right to explain one another; or these words might seem to bear a more natural interpretation.

MR. WALLER.

You will understand from this account, which I have opened so particularly to you, on

give any countenance or entertainment to them:" The *other*, "That he could never allow himself the liberty of opening letters, upon a suspicion that they might contain matter of dangerous consequence." B. viii.

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what reasons I was induced to alter my plan, or rather to pursue it with those arts of prudence and address, which the turn of the times had now rendered necessary. The conclusion was, I resolved to pursue steadily the king's, which at the same time was manifestly the nation's interest, and yet to keep fair with the parliament, and the managers on that side; for this appeared the likeliest way of doing him real service. And yet some officious scruples, which forced themselves upon me at first, had like to have fixed me in other measures. In the stream of those who chose to desert the houses rather than share in the violent counsels that prevailed in them, the general disgust had also carried me to withdraw myself. But this start of zeal was soon over. I presently saw, and found means to satisfy the king, that it would be more for his service that I should return to the parliament. I therefore resumed my seat, and took leave (to say the truth, it was not denied me by the house, who had their own ends to serve by this indulgence [k]) to

[k] To this purpose my Lord CLARENDON. "He [Mr. W.] spoke, upon all occasions, with great sharpness and freedom: which (now there were so few that used it, and there was no danger of being over-voted) was not restrained; and therefore used as an argument against those, who were gone upon pretence, that they were not suffered

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DIALOGUE I.

reason and debate in all points with great freedom. At the same time my affections to the common interest were not suspected; for, having no connexion with the court, nobody thought of charging me with private views; and not forgetting, besides, to cultivate a good understanding with the persons of chief credit in the house, the plainness I used could only be taken for what it was, an honest and parliamentary liberty. This situation was, for a time, very favourable to me: for the king's friends regarded me as the champion of their cause; whilst the prudence of my carriage towards the leading members secured me, in a good degree, from their jealousy.

DR. MORE.

Your policy, I observe, had now taken a more refined turn. The juncture of affairs might possibly justify this address: but the ground you stood upon was slippery; and I own myself alarmed at what may be the consequence of this solicitous pursuit of popularity.

to declare their opinion freely in the house; which could not be believed, when all men knew what liberty Mr. WALLER took, and spoke every day with impunity, against the sense and proceedings of the house." B. vii.

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MR. WALLER. 13

No exception, I think, can be fairly taken at the methods by which I pursued it. However, this *popularity* it was, as you rightly divine, which drew upon me all the mischiefs that followed. For the application of all men, disposed to the king's service, was now made to me. I had an opportunity, by this means, of knowing the characters and views of particular persons, and of getting an insight into the true state of the king's affairs. And these advantages, in the end, drove me on the project, which, on the discovery, came to be called my *Plot*: an event, which, with all its particulars, you understand too well to need any information from me about it.

DR. MORE. 13

The story, as it was noised abroad, I am no stranger to: but this being one of those occasions, as they say, in which both your policy and virtue were put to the sharpest trial, it would be much to the purpose you have in view by this recital, to favour me with your own account of it.

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MR. WALLER. 14

To lead you through all particulars, would not suit with the brevity you require of me. But something I will say to obviate the misconceptions you may possibly have entertained of this business [1]. For the plot itself, the utmost of my design was only to form such a combination among the honest and well-affected of all sorts, as might have weight enough to incline the houses to a peace, and prevent the miseries that were too certainly to be apprehended from a civil war. It was never in my thoughts to surprize the parliament or city by force, or engage the army in the support and execution of my purpose. But my design in this affair, though the fury of my enemies, and the fatal jealousy of the time, would not suffer it to be rightly understood, is not that which my friends resented, and which most men were disposed to blame in me. It was my behaviour afterwards, and the obliquity of some means which I found expedient to my own safety, that exposed me to so rude a storm of censure. It continues, I know, to beat upon me even at this distance. But the injustice hath arisen

[1] See Lord CLARENDON's History.

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from the force of vulgar prejudices, and from the want of entering into those enlarged principles, on which it was necessary for me to proceed in that juncture. DIALOGUE I.

DR. MORE. 14

Yet the ill success of this plot itself might have shewn you, what the design of acting on these *enlarged principles* was likely to come to. It was an unlucky experiment, this, you had made in the *new* arts of living; and should have been a warning to you, not to proceed in a path which, at the very entrance of it, had involved you in such difficulties.

MR. WALLER. 15

No, it was not the new path, you object to me, but the good old road of Sincerity, which misled me into those brambles. I, in the simplicity of my heart, thought it my duty to adhere to the injured king's cause, and believed my continuance in parliament the fairest, as well as the likeliest method, that could be taken to support it. Had I temporized so far as either to desert my prince, and strike in with

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the parliament, or, on the other hand, had left the house and gone with the seceders to *Oxford*, either way I had been secure. But resolving, as I did, to hold my principles, and follow my judgment, I fell into those unhappy circumstances, from which all the dexterity I afterwards assumed was little enough to deliver me.

DR. MORE.

But if your intentions were so pure, and the methods, by which you resolved to prosecute them, so blameless, how happened it that any plot could be worked up of so much danger to your life and person?

MR. WALLER.

This was the very thing I was going to explain to you. My intentions towards the parliament were fair and honourable: as I retained my seat there, I could not allow myself in the use of any but parliamentary methods to promote the cause I had undertaken. And this, as I said, was the whole purpose of the *combination*, which was made the pretence to ruin me: for my unhappy project of a reconciliation

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was so inextricably confounded with another of more dangerous tendency, the *commission of array*, sent at that time from *Oxford*, that nothing, I presently saw, could possibly disentangle so perplexed a business, or defeat the malice of my enemies, if I attempted, in the more direct way, to stand on my defence. Presumptions, if not proofs, they had in abundance: the consternation of all men was great; their rage, unrelenting; and the general enthusiasm of the time, outrageous. Consider all this, and see what chance there was for escaping their injustice, if I had restrained myself to the sole use of those means, which you men of the cloister magnify so much, under I know not what names of *Sincerity* and *Honour*. And, indeed, this late experience, of what was to be expected from the way of plain dealing, had determined me, henceforth, to take a different route; and, since I had drawn these mischiefs on myself by *Sincerity*, to try what a little management could do towards bringing me out of them.

DR. MORE.

It was not, I perceive, without cause, that the subtlety you had begun to have recourse to, filled me with apprehensions. Sincerity and

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DIALOGUE I. Honour, Mr. WALLER, are plain things, and hold no acquaintance with this ingenious casuistry.

MR. WALLER.

What, not in such a situation? It should seem then, as if you moralists conceived a man owed nothing to himself: that *self-preservation* was not what God and Nature have made it, the first and most binding of all laws: that a man's family, not to say his country, have no interest in the life of an innocent and deserving citizen; and, in one word, that *prudence* is but an empty name, though you give it a place among your *cardinal virtues*. All this must be concluded before you reject, as unlawful, the means I was forced upon, at this season, for my defence: means, I presume to say, so sagely contrived, and, as my very enemies will own, executed so happily, that I cannot to this day reflect on my conduct in that affair without satisfaction.

DR. MORE.

Yet it had some consequences which a man of your generosity would a little startle at.—

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MR. WALLER.

I understand you: my friends—But I shall answer that objection in its place.

Let me at present go on with the particulars of my defence. The occasion, as you see, was distressful to the last degree. To deny or defend myself from the charge was a thing impossible. What remained then but to confess it, and in so frank and ample a manner, as might bespeak the pity or engage the protection of my accusers? I resolved to say nothing but the *truth*; and, if ever the *whole* truth may be spoken, it is when so alarming an occasion calls for it. Besides, what had others, who might be affected by the discovery, to complain of? I disclaimed no part of the guilt myself: nor could any confession be made, that did not first and chiefly affect me. And if I, who was principal in the contrivance, had the best chance for escaping by such confession, what had they, who were only accomplices, to apprehend from it? Add to this, that the number and credit of the persons, who were charged with having a share in the design, were, of all others, the likeliest considerations to prevail with the houses to drop the further prosecution of it.

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DIALOGUE I.

Well, the discovery had great effects. But there was no stopping here. Penitence, as well as confession, is expected from a sinner. I had to do with hypocrites of the worst sort. What fairer weapons, then, than hypocrisy and dissimulation? I counterfeited the strongest remorse, and with a life and spirit that disposed all men to believe, and most to pity me. My trial was put off in very compassion to my disorder; which, in appearance, was so great, that some suspected my understanding had been affected by it. In this contrivance I had two views; to gain time for my defence, and to keep it off till the fury of my prosecutors was abated. In this interval, indeed, some of my accomplices suffered. But how was it possible for me to apprehend that, when, if any, I myself might expect to have fallen the first victim of their resentment?

DR. MORE.

If this apology satisfy yourself, I need not interrupt your story with any exceptions.

MR. WALLER.

It was, in truth, the only thing which afflicted me in the course of this whole business.

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But time and reflection have reconciled me to what was, in some sense, occasioned, but certainly not intended, by me. And it would be a strange morality that should charge a man with the undesigned consequences of his own actions.

DR. MORE.

And were all the symptoms of a disturbed mind, you made a shew of, then entirely counterfeit?

MR. WALLER.

As certainly as those of the Roman BRUTUS, who, to tell you the truth, was my example on that occasion. It was the business of both of us to elude the malice of our enemies, and reserve ourselves for the future service of our respective countries.

But all I have told you was only a prelude to a further, and still more necessary, act of dissimulation. Had the house been left to itself, it might possibly have absolved me, on the merits of so large a confession, and so lively a repentance. But I had to do with another class of men, with holy inquisitors of

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sordid minds, and sour spirits; priestly reformers, whose sense was noise, and religion fanaticism, and that too fermented with the leven of earthly avarice and ambition. These had great influence both within doors and without, and would regard what had hitherto passed as nothing, if I went not much further. To these, having begun in so good a train, I was now to address myself. I had studied their humours, and understood to a tittle the arts that were most proper to gain them.

The first step to the countenance and good liking of these restorers of primitive parity was, I well knew, the most implicit subjection both of will and understanding. I magnified their gifts, I revered their sanctity. I debased myself with all imaginable humility: I extolled them with the grossest flattery.

Having thus succeeded to my wish in drawing the principal of these saints around me, I advanced further: I sought their instruction, solicited their advice, and importuned their ghostly consolation. This brought me into high favour; they regarded me as one, who wished and deserved to be enlightened: they strove which should impart most of their lights and revelations to me. I besought them to

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expound, and pray, and preach before me: nay, I even preached, and prayed, and expounded before them. I out-canted the best-gifted of them; and out-railed the bitterest of all their decriers of an anti-christian prelacy. In short, it would have moved your laughter or your indignation to observe, how submissively I demeaned myself to these spiritual fathers; how I hung on their words, echoed their coarse sayings, and mimicked their beggarly tones and grimaces.

To complete the farce, I intreated their acceptance of such returns for their godly instructions, as fortune had enabled me to make them. I prevailed with them to give leave that so unworthy a person might be the instrument of conveying earthly accommodations to these dispensers of heavenly treasures; and it surpasses all belief, with what an avidity they devoured them! It is true, this last was a serious consideration: in all other respects, the whole was a perfect comedy; and of so ridiculous a cast, that, though my situation gave me power of face to carry it off gravely then, I have never reflected on it since without laughter.

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DIALOGUE I.

DR. MORE.

Truly, as you describe it, it was no serious scene. But what I admire most, is the dexterity of your genius, and the prodigious progress you had now made in your favourite arts of *accommodation*.

MR. WALLER.

Necessity is the best master. Besides, can you blame me for taking more than common pains to outdo these miscreants in their own way; I might say, to excel in an art which surpasses, or at least comprises in it the essence of all true wisdom? The precept of your admired ANTONINUS, as you reminded me to-day, is SIMPLIFY YOURSELF[m]. That, I think, was the quaint expression. It had shewn his reach and mastery in the trade he professed, much more, if instead of it, he had preached up, ACCOMMODATE YOURSELF; the grand secret, as long experience has taught me, *bene beateque vivendi*.

[m] Ἁπλωσον σεαυτόν, lib. iv. § 26. which Dr. MORE, in l. ii. c. 3. of his ENCHIRIDION ETHICUM, translates, *simplifica teipsum*.

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All matters thus prepared, there was now no hazard in playing my last game. I requested and obtained leave to make my defence before the parliament. I had acquired a knack in speaking; and had drawn on myself more credit, than fine words deserve, by a scenical and specious eloquence. If ever I acquitted myself to my wish, it was on this occasion. I soothed, I flattered, I alarmed: every topic of art which my youth had learned, every subject of address which experience had suggested, every trick and artifice of popular adulation, was exhausted. All men were prepared by the practices of my saintly emissaries to hear me with favour; and, which is the first and last advantage of a speaker, to believe me seriously and conscientiously affected.

In the end I triumphed; and for a moderate fine obtained leave to shelter myself from the following storm, which almost desolated this unhappy country, by retiring into an exile, at that time more desirable than any employment of those I left behind me.

DR MORE.

You retired, I think, to *France*, whither, no doubt, you carried with you all those

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DIALOGUE I. generous thoughts and consolatory reflexions, which refresh the spirit of a good man under a consciousness of suffering virtue.

MR. WALLER.

Why not, if *prudence* be a virtue? for what, but certain prudential regards (which in common language and common sense are quite another thing from vicious compliances) have hitherto, as you have seen, appeared in my conduct? But be they what they will, they had a very natural effect, and one which will always attend on so reasonable a way of proceeding. For, since you press me so much, I shall take leave to suggest an observation to you, more obvious as well as more candid than any you seem inclined to make on the circumstances of this long relation. It is, "that the *pretended* penitence for my past life, and the readiness I shewed to acquiesce in the *false* accounts which the parliament gave of my plot, saved my life, and procured my liberty; whilst the *real and true* discoveries I made to gain credit to *both*, hurt my reputation." But such a reflexion might have shocked your system too much. For it shews that all the benefit, I drew to myself in this affair, arose from

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those *prudential maxims* you condemn; and that all the injury, I suffered, was owing to the *sincerity* I still mixed with them.

DR. MORE. 22

Seriously, Sir——

MR. WALLER. 23

I can guess what you would say: but you promised to hear me out, without interruption.

What remains I shall dispatch in few words, having so fully vindicated the most obnoxious part of my life, and opened the general principles, I acted upon, so clearly.

I went, as you said, to *France*; where, instead of the churlish humour of a malcontent, or the unmanly dejection of a disgraced exile, I appeared with an ease and gaiety of mind, which made me welcome to the greatest men of that country. The ruling principle of my philosophy was, to make the best of every situation. And, as my fortune enabled me to do it, I lived with hospitality, and even splen-

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dour; and indulged myself in all the delights of an enlarged and elegant conversation.

Such were my amusements for some years; during which time, however, I preserved the notions of loyalty, which had occasioned my disgrace, and waited some happier turn of affairs, that might restore me with honour to my country. But when all hopes of this sort were at an end, and the government, after the various revolutions which are well known, seemed fixed and established in the person of one man, it was not allegiance, but obstinacy, to hold out any longer. I easily succeeded in my application to be recalled, and was even admitted to a share in the confidence of the PROTECTOR. This great man was not without a sensibility of true glory; and, for that reason, was even ambitious of the honour, which wit and genius are ever ready to confer on illustrious greatness. Every muse of that time distinguished, and was distinguished by, him. Mine had improved her voice and accent in a foreign country: and what nobler occasion to try her happiest strain than this, of immortalizing a Hero?

"Illustrious acts high raptures do infuse,
"And ev'ry conqueror creates a muse;"

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as I then said in a panegyric, which my gratitude prompted me to present to him [n]. DIALOGUE I.

DR. MORE. 23

This panegyric, presented in verse, could hardly, I suppose, be suspected of flattery!

MR. WALLER. 24

I expected this; but the occasion, as I said, might have suggested a fairer interpretation. And why impute as a fault to me, what the reverend SPRAT, as well as DRYDEN, did not disdain to countenance by their examples? Besides, as an argument of the unsullied purity of my intention, you might remember, methinks, that I asked no recompence, and accepted none, for the willing honours my muse paid him.

DR. MORE. 24

It must be a sordid muse indeed, that submits to a venal prostitution. And, to do your

n In the year 1654.

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DIALOGUE I. profession justice, it is not so much avarice, or even ambition, as a certain gentler passion, the vanity, shall I call it? of being well with the *great*, that is fatal to you poets.

MR. WALLER.

I can allow for the satire of this reproof, in a man of ancient and bookish manners. But, to shew my disinterestedness still more, you may recollect, if you please, that I embalmed his memory, when neither his favour nor his smile were to be apprehended.

DR. MORE.

In the short reign of his son.—But what then? you made amends for all, by the congratulation on the happy return of his present majesty. You know who it was that somebody complimented in these lines:

"He best can turn, enforce and soften things,
"To praise great conquerors, and flatter kings."

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MR. WALLER. 26

Was it for me to stem the torrent of a nation's joys by a froward and unseasonable silence? Did not HORACE, who fought at *Philippi*, do as much for AUGUSTUS? And should I, who had suffered for his cause, not embrace the goodness, and salute the returning fortunes, of so gracious, so accomplished a master? His majesty himself, as I truly say of him, in the poem you object to me,

"with wisdom fraught,
"Not such as books, but such as practice, taught,"

did me the justice to understand my address after another manner. He, who had so often been forced by the necessities of his affairs to make compliances with the time, never resented it from me, a private man and a poet, that I had made some sacrifices of a like nature. All this might convince you of the great truth I meant to inculcate by this long recital, that not a sullen and inflexible *Sincerity*, but a fair and seasonable *accommodation of one's self*, to the various exigencies of the times, is the golden virtue that ought to predominate in

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a man of life and business. All the rest, believe me, is the very cant of philosophy and unexperienced wisdom.

DR. MORE.

Wisdom — and must the sanctity of that name —

MR. WALLER.

Hear me, Sir — no exclamations against the evidence of plain fact. I have a right to expect another conduct from him, who is grown grey in the studies of moral science.

DR. MORE.

You learned another lesson in the school of FALKLAND, HYDE, and CHILLINGWORTH.

MR. WALLER.

Yes, one I was obliged to unlearn. But, since you remind me of that school, what was the effect of adhering pertinaciously to its false

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maxims? To what purpose were the lives of *two* of them prodigally thrown away; and the honour, the wisdom, the talents of the *other*, still left to languish in banishment[a] and obscurity? DIALOGUE I.

DR. MORE. 28

O! prophane not the glories of immortal, though successless virtue, with such reproaches. —Those adored names shall preach honour to future ages, and enthrone the majesty of virtue in the hearts of men, when wit and parts, and eloquence and poetry, have not a leaf of all their withered bays to recommend them.

MR. WALLER. 29

Raptures and chimeras!——Rather judge of the sentiments of future ages, from the present. Where is the man, (I speak it without boasting,) that enjoys a fairer fame; who is better received in all places; who is more listened to in all companies; who reaps the fruits of a reasonable and practicable virtue in every return of honour, more unquestionably, than he

[a] Lord CLARENDON died in 1674.

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DIALOGUE I.

whose life and principles your outrageous virtue leads you to undervalue so unworthily? And take it from me as an oracle, which long age and experience enable me to deliver with all assurance, "Whoever, in succeeding times, shall form himself on the plan here given shall meet with the safety, credit, applause, and, if he chuses, honour and fortune in the world, which may be promised indeed, but never will be obtained, by any other method."

DR. MORE. 29

You have spoken. But hear me now, I conjure you, whilst a poor despised philosopher —

MR. WALLER. 30

O! I have marked the emotion this discourse of mine hath awakened in you. I have seen your impatience: I have watched your eyes when they sparkled defiance and contradiction to my argument. But your warmth makes you forget yourself. I gave a patient hearing to all your eloquence could suggest in this cause. I even favoured your zeal, and helped to blow up your enthusiasm. The rest fell to

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my turn; and besides, the evening, as you see, shuts in upon us. Let us escape, at least, from its dews, which, in this decline of the year, they say, are not the most wholesome, into a warm apartment within doors; and then I shall not be averse, especially when you have taken a few minutes to recollect yourself, to debate with you what further remains upon this argument[P].

P The character of Mr. WALLER is given at large in the *Life of Lord Clarendon*, P. I. p. 25.—As for Dr. MORE, Bishop BURNET tells us, in one word, "That he was an "open-hearted and sincere Christian philosopher." *Hist. of his own Time*, vol. i. p. 273. 12mo, *Edinb.* 1753.

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DIALOGUE II.

ON RETIREMENT:

BETWEEN

MR. ABRAHAM COWLEY,

AND

THE REV. MR. THOMAS SPRAT.

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DIALOGUE II.

ON RETIREMENT.

MR. ABRAHAM COWLEY —

THE REV. MR. SPRAT.

TO THE EARL OF ST. ALBANS[a].

MY LORD,

THE duty I owe your LORDSHIP, as well as my friendship for Mr. COWLEY, determined me to lose no time in executing the commission you was pleased to charge me with by Mr. D***. I went early the next morning to

[a] This Dialogue is founded on a short passage in Mr. SPRAT's Life of Mr. COWLEY, in which he observes, "That in his long dependance on my Lord St. ALBANS, there never happened any manner of difference between them; except a little at LAST, because he would leave his service."

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DIALOGUE II.

Barn Elms[b]; intending to pass the whole day with him, and to try if what I might be able to suggest on the occasion, together with the weight of your lordship's advice, could not divert him from his strange project of *Retirement*. Your lordship, no doubt, as all his other friends, had observed his bias that way to be very strong; but who, that knew his great sense, could have thought of its carrying him to so extravagant a resolution? For my own part, I suspected it so little, that, though he would often talk of retiring, and especially since your lordship's favour to him[c], I considered it only as the usual language of poets, which they take up one after another, and love to indulge in, as what they suppose becomes their family and profession. It could never come into my thoughts, that one, who knew the world so well as Mr. COWLEY, and had lived so long in it, who had so fair hopes and so noble a patron, could seriously think of quitting the scene at his years, and all for so fantastic a purpose as that of growing old in the corner of a country village.

b A small village on the *Thames*, which was Mr. COWLEY's first retreat, before he removed to *Chertsea*.

c Meaning an estate he had obtained by means of this lord. This particular is several times referred to in the course of the Dialogue.

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These, my lord, were my sentiments, when your friendly message alarmed me with the apprehension of there being more in the matter than I had suspected. Yet still I considered it only as a hasty thought, which a fit of the spleen, or of the muse it may be, had raised; and which the free remonstrance of a friend would easily disperse, or prevent at least from coming to any fixed and settled resolution. But how shall I express to your lordship the surprise I was in, to find that this resolution was not only taken, but rooted so deeply in him, that no arguments, nor even your lordship's authority, could shake it? I have ever admired Mr. COWLEY, as a man of the happiest temper and truest judgment; but, to say the least, there was something so particular, I had almost said perverse, in what he had to allege for himself on this occasion, that I cannot think I acquit myself to your lordship, without laying before you the whole of this extraordinary conversation; and, as far as my recollection will serve, in the very words in which it passed betwixt us.

I went, as I told your lordship, pretty early to *Barn Elms*; but my friend had gotten the start of me by some hours. He was busying himself with some improvements of his garden,

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Dialogue II.

and the fields that lie about his house. The whole circuit of his domain was not so large, but that I presently came up with him. "My dear friend," said he, embracing me, but with a look of some reserve and disgust, "and is it you then I have the happiness to see, at length, in my new settlement? Though I fled hither from the rest of the world, I had no design to get out of the reach of my friends. And, to be plain with you, I took it a little amiss from one whose entire affection I had reckoned upon, that he should leave me to myself for these two whole months, without discovering an inclination, either from friendship or curiosity, to know how this retirement agreed with me. What could induce my best friend to use me so unkindly?"

Surely, said I, you forget the suddenness of your flight, and the secresy with which the resolution was taken. We supposed you gone only for a few days, to see to the management of your affairs; and could not dream of your *rusticating* thus long, at a time when the town and court are so busy; when the occasions of your friends and your own interests seemed to require your speedy return to us. However, continued I, it doth not displease me to find you so dissatisfied with this solitude. It looks

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as if the short experience, you have had of this recluse life, did not recommend it to you in the manner you expected. Retirement is a fine thing in imagination, and is apt to possess you poets with strange visions. But the charm is rarely lasting; and a short trial, I find, hath served to correct these fancies. You feel yourself born for society and the world, and, by your kind complaints of your friend, confess how unnatural it is to deny youself the proper delights of a man, the delights of conversation.

Not so fast, interrupted he, if you please, in your conclusions about the nature of retirement. I never meant to give up my right in the affections of those few I call my friends. But what has this to do with the general purpose of retreating from the anxieties of business, the intrigues of policy, or the impertinencies of conversation? I have lived but too long in a ceaseless round of these follies. The best part of my time hath been spent *sub dio*. I have served in all weathers, and in all climates, but chiefly in the torrid zone of politics, where the passions of all men are on fire, and where such as have lived the longest, and are thought the happiest, are scarcely able to reconcile themselves to the sultry air of the

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place. But this warfare is now happily at an end. I have languished these many years for the shade. Thanks to my Lord ST. ALBANS, and another noble lord you know of, I have now gained it. And it is not a small matter, I assure you, shall force me out of this shelter.

Nothing is easier, said I, than for you men of wit to throw a ridicule upon any thing. It is but applying a quaint figure, or a well-turned sentence, and the business is done. But indeed, my best friend, it gives me pain to find you not so much diverting as deceiving yourself with this unseasonable ingenuity. So long as these sallies of fancy were employed only to enliven conversation, or furnish matter for an ode or an epigram, all was very well. But now that you seem disposed to *act* upon them, you must excuse me if I take the matter a little more seriously. To deal plainly with you, I come to tell you my whole mind on this subject: and, to give what I have to say the greater consequence with you, I must not conceal from you, that I come commissioned by the excellent lord you honour so much, and have just now mentioned, to expostulate in the freest manner with you upon it.

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We had continued walking all this time, and were now ascending a sort of natural terras. It led to a small thicket, in the entrance of which was a seat that commanded a pleasant view of the country and the river. Taking me up to it, "Well," said he, "my good friend, since your purpose in coming hither is so kind, and my Lord St. ALBANS himself doth me the honour to think my private concerns deserving his particular notice, it becomes me to receive your message with respect, and to debate the matter, since you press it so home upon me, with all possible calmness. But let us, if you please, sit down here. You will find it the most agreeable spot I have to treat you with; and the shade we have about us will not, I suppose, at this hour, be unwelcome."

And now, turning himself to me, "Let me hear from you, what there is in my retreat to this place, which a wise man can have reason to censure, or which may deserve the disallowance of a friend. I know you come prepared with every argument which men of the world have at any time employed against retirement; and I know your ability to give to each its full force. But look upon this scene before you, and tell me what inducements I can possibly have to quit it for any thing you can promise

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Discourse II.

me in exchange? Is there in that vast labyrinth, you call the world, where so many thousands lose themselves in endless wanderings and perplexities, any corner where the mind can recollect itself so perfectly, where it can attend to its own business, and pursue its proper interests so conveniently, as in this quiet and sequestered spot? Here the passions subside; or, if they continue to agitate, do not however transport the mind with those feverish and vexatious fervours, which distract us in public life. This is the seat of virtue and of reason; here I can fashion my life by the precepts of duty and conscience; and here I have leisure to make acquaintance, that acquaintance which elsewhere is so rarely made, with the ways and works of God.

Think again, my friend. Doth not the genius of the place seize you? Do you not perceive a certain serenity steal in upon you? Doth not the aspect of things around you, the very stillness of this retreat, infuse a content and satisfaction which the world knows nothing of? Tell me, in a word, is there not something like enchantment about us? Do you not find your desires more composed, your purposes more pure, your thoughts more elevated, and more active, since your entrance into this scene?"

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He was proceeding in this strain, with an air of perfect enthusiasm, when I broke in upon him with asking, "Whether this was what he called *debating the matter calmly with me.* Surely, said I, this is poetry, or something still more extravagant. You cannot think I come prepared to encounter you in this way. I own myself no match for you at these weapons: which indeed are too fine for my handling, and very unsuitable to my purpose if they were not. The point is not which of us can say the handsomest things, but the truest, on either side of the question. It is, as you said, plain argument, and not rhetorical flourishes, much less poetical raptures, that must decide the matter in debate. Not but a great deal might be said on my side, and, it may be, with more colour of truth, had I the command of an eloquence proper to set it off.

I might ask, in my turn, "Where is the mighty charm that draws you to this inglorious solitude, from the duties of business and conversation, from the proper end and employment of man? How comes it to pass, that this stillness of a country landscape, this uninstructing, though agreeable enough, scene of fields and waters, should have greater beauty in your eye, than *flourishing peopled towns*, the scenes

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of industry and art, of public wealth and happiness? Is not the *sublime countenance* of man, so one of your acquaintance terms it, a more delightful object than any of these humble beauties that lie before us? And are not the human virtues, with all their train of lovely and beneficial effects in society, better worth contemplating, than the products of inanimate nature in the field or wood? Where should we seek for REASON, but in the minds of men tried and polished in the school of civil conversation? And where hath VIRTUE so much as a being out of the offices of social life? Look well into yourself, I might say: hath not indeed the proper genius of solitude affected you! Doth not I know not what of chagrin and discontent hang about you? Is there not a gloom upon your mind, which darkens your views of human nature, and damps those chearful thoughts and sprightly purposes, which friendship and society inspire?"

You see, Sir, were I but disposed, and as able as you are, to pursue this way of fancy and declamation, I might conjure up as many frightful forms in these retired walks, as you have delightful ones. And the enchantment in good hands would, I am persuaded, have more the appearance of reality. But this is not the

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way in which I take upon myself to contend with you. I would hear, if you please, what reasons, that deserve to be so called, could determine you to so strange, and, forgive me if at present I am forced to think it, so unreasonable a project, as that of devoting your health and years to this monastic retirement. I would lay before you the arguments, which, I presume, should move you to quit a hasty, perhaps an unweighed, resolution: so improper in itself, so alarming to all your friends, so injurious to your own interest, and, permit me to say, to the public. I would enforce all this with the mild persuasions of a friend; and with the wisdom, the authority of a great person, to whose opinion you owe a deference, and who deserves it too from the entire love and affection he bears you."

My dearest friend, replied he, with an earnestness that awed, and a goodness that melted me, I am not to learn the affection which either you or my noble friend bear me. I have had too many proofs of it from both, to suffer me to doubt it. But why will you not allow me to judge of what is proper to constitute my own happiness? And why must I be denied the privilege of choosing for myself, in a matter where the different taste or humour of others

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makes them so unfit to prescribe to me? Yet I submit to these unequal terms; and if I cannot justify the choice I have made, even in the way of serious reason and argument, I promise to yield myself to your advice and authority. You have taken me perhaps a little unprepared and unfurnished for this conflict. I have not marshalled my forces in form, as you seem to have done; and it may be difficult, on the sudden, to methodize my thoughts in the manner you may possibly expect from me. But come, said he, I will do my best in this emergency. You will excuse the rapture which hurried me at setting out, beyond the bounds which your severer temper requires. The subject always fires me; and I find it difficult, in entering on this argument, to restrain those triumphant sallies, which had better have been reserved for the close of it.

Here he paused a little; and recollecting himself, "But first," resumed he, "you will take notice, that I am not at all concerned in the general question, so much, and, I think, so vainly agitated, "*whether a life of retirement be preferable to one of action?*" I am not, I assure you, for unpeopling our cities, and sending their industrious and useful inhabitants into woods and cloisters. I acknow-

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ledge and admire the improvements of arts, the conveniencies of society, the policies of government [d]. I have no thought so mad or so silly, as that of wishing to see the tribes of mankind disbanded, their interests and connexions dissolved, and themselves turned loose into a single and solitary existence. I would not even wish to see our courts deserted of their homagers, though I cannot but be of opinion, that an airing now and then at their country houses, and that not with the view of diverting, but recollecting themselves, would prove as useful to their sense and virtue, as to their estates. But all this, as I said, is so far from coming into the scheme of my serious wishes, that it does not so much as enter into my thoughts. Let wealth, and power, and pleasure, be as eagerly sought after, as they ever will be: let thousands or millions assemble in vast towns, for the sake of pursuing their several ends, as

[d] The writer of the Dialogue has thought fit to soften the misanthropy of Mr. COWLEY in this instance. In one of his Essays he talks strangely. "It is the great boast," says he, "of eloquence and philosophy, that they first congregated men dispersed, united them into cities, and built up the houses and the walls of cities. I wish they could unravel all they had woven, that we might have our woods and our innocence again, instead *of our castles and our policies*."

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it may chance, of profit, vanity, or amusement: All this is nothing to me, who pretend not to determine for other men, but to vindicate my own choice of this retirement.

As much as I have been involved in the engagements of business, I have not lived thus long without looking frequently, and sometimes attentively into myself. I maintain, then, that to a person so moulded as I am; of the *temper and turn of mind,* which Nature hath given me; of *the sort of talents,* with which education or genius hath furnished me; and, lastly, of the *circumstances,* in which fortune hath placed me; I say, to a person so charactered and so situated, RETIREMENT is not only his choice, but his duty; is not only what his inclination leads him to, but his judgement. And upon these grounds, if you will, I venture to undertake my own apology to you.

Your proposal, said I, is fair, and I can have no objection to close with you upon these terms; only you must take care, my friend, that you do not mistake or misrepresent your own talents or character; a miscarriage, which, allow me to say, is not very rare from the partialities which an indulged humour, too easily taken for nature, is apt to create in us.

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Or what, replied he, if this humour, as you call it, be so rooted as to become a *second* nature? Can it, in the instance before us, be worth the pains of correcting?

I should think so, returned I, in your case. But let me first hear the judgement you form of yourself, before I trouble you with that which I and your other friends make of you.

I cannot but think, resumed he, that my situation at present must appear very ridiculous. I am forced into an *apology* for my own conduct, in a very nice affair, which it might become another, rather than myself, to make for me. In order to this, I am constrained to reveal to you the very secrets, that is, the foibles and weaknesses, of my own heart. I am to lay myself open and naked before you. This would be an unwelcome task to most men. But your friendship, and the confidence I have in your affection, prevail over all scruples. Hitherto your friend hath used the common privilege of wearing a disguise, of masking himself, as the poet makes his hero, in a *cloud*, which is of use to keep off the too near and curious inspection both of friends and enemies. But, at your bidding, it falls off, and you are now to see him in his just proportion and true features.

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DIALOGUE II.

My best friend, proceeded he with an air of earnestness and recollection, it is now above forty years that I have lived in this world: and in all the rational part of that time there hath not, I believe, a single day passed without an ardent longing for such a retreat from it, as you see me at length blessed with. You have heard me repeat some verses, which were made by me so early as the age of *thirteen*, and in which that inclination is expressed as strongly, as in any thing I have ever said or written on that subject[e]. Hence you may guess the proper turn and bias of my nature; which began so soon, and hath continued thus long, to shew itself in the constant workings of that passion.

Even in my earliest years at school, you will hardly imagine how uneasy constraint of every kind was to me, and with what delight I broke away from the customary sports and pastimes of that age, to saunter the time away by myself, or with a companion, if I could meet with any such, of my own humour. The same inclination pursued me to college; where a private walk, with a book or friend, was beyond any amusement, which, in that sprightly sea-

[e] These verses are inserted in one of his *Essays*, and in some editions of his works.

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son of life, I had any acquaintance with. It is with a fond indulgence my memory even now returns to these past pleasures. It was in those retired ramblings that a thousand charming perceptions and bright ideas would stream in upon me. The Muse was kindest in those hours: and, I know not how, Philosophy herself would *oftner* meet me amidst the willows of the CAM, than in the formal schools of science, within the walls of my college, or in my tutor's chamber.

I understand, said I, the true secret of that matter. You had now contracted an intimacy with the poets, and others of the fanciful tribe. You was even admitted of their company; and it was but fit you should adopt their sentiments, and speak their language. Hence those day-dreams of *shade and silence*, and I know not what visions, which transport the minds of young men, on their entrance into these regions of *Parnassus*.

It should seem then, returned he, by your way of expressing it, as if you thought this passion for *shade and silence* was only pretended to on a principle of *fashion*; or, at most, was catched by the lovers of poetry from each other, in the way of *sympathy*, without na-

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ture's having any hand at all in the production of it.

Something like that, I told him, was my real sentiment: and that these agreeable reveries of the old poets had done much hurt by being taken too seriously. Were HORACE and VIRGIL, think you, as much in earnest as you appear to be, when they were crying out perpetually on their favourite theme of *otium* and *secessus*, "they, who lived and died in a court?"

I believe, said he, they were, and that the short accounts we have of their lives shew it, though a perfect dismission from the court was what they could not obtain, or had not the resolution to insist upon. But pray, upon your principles, that all this is but the enchantment of *example* or *fashion*, how came it to pass, that the first seducers of the family, the old poets themselves, had fallen into these notions? They were surely no pretenders. They could only write from the heart. And methinks it were more candid, as well as more reasonable, to account for this passion, which hath so constantly shewn itself in their successors, from the same reason. It is likely indeed, and so much I can readily allow, that the early reading

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of the poets might contribute something to confirm and strengthen my natural bias [f]. DIALOGUE II.

But let the matter rest for the present. I would now go on with the detail of my own life and experience, so proper, as I think, to convince you that what I am pleading for is the result of nature.

I was saying how agreeably my youth passed in these reveries, if you will have it so, and especially *inter sylvas academi*:

Dura sed emovere loco me tempora grato,
Civilisque rudem belli tulit æstus in arma.

You know the consequence. This civil turmoil drove me from the shelter of retirement into the heat and bustle of life; from those studies which, as you say, had enchanted my youth, into business and action of all sorts. I lived in the world: I conversed familiarly with the great. A change like this, one would suppose,

f "Perhaps, says he (speaking of the poets) it was the immature and immoderate love of them, which stampt first, or rather engraved, the characters in me: they were like letters cut in the bark of a young tree, which with the tree, still grow proportionably."

[*Essay on himself.*]

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DIALOGUE II. were enough to undo the prejudices of education. But the very reverse happened. The further I engaged, and the longer I continued in this scene, the greater my impatience was of retiring from it.

But you will say, my old vice was nourished in me by living in the neighbourhood of books and letters [g]. I was yet in the fairy land of the Muses; and, under these circumstances, it was no wonder that neither arms nor business, nor a court, could prevent the mind from returning to its old bias. All this may be true. And yet, I think, if that court had contained many such persons as some I knew in it, neither the distractions of business on the one hand, nor the blandishments of the Muse on the other, could have disposed me to leave it. But there were few LORD FALKLANDS—and unhappily my admiration of that nobleman's worth and honour [h] created an invincible aversion to the rest, who had little resemblance of his virtues.

[g] "When the civil war broke out, his [Mr. COWLEY's] affection to the king's cause drew him to *Oxford*, as soon as it began to be the chief seat of the royal party." [Dr. SPRAT's life of him.]

[h] Dr. SPRAT tells us in *his Life*, "That, during his residence at *Oxford*, he had the entire friendship of my Lord FALKLAND, one of the principal secretaries of state. That

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I would not be thought, said I, to detract from so accomplished a character as that of the Lord FALKLAND; but surely there was something in his notions of honour.— DIALOGUE II.

Not a word, interrupted he eagerly, that may but seem to throw a shade on a virtue the brightest and purest that hath done honour to these later ages.—But I turn from a subject that interests me too much, and would lead me too far. Whatever attractions there might be in such a place, and in such *friendships*, the iniquity of the times soon forced me from them. Yet I had the less reason to complain, as my next removal was into the family of so beneficent a patron as the Lord JERMYN, and into the court of so accomplished a princess as the QUEEN MOTHER.

My residence, you know, was now for many years in *France*; a country, which piques itself

affection was contracted by the agreement of their learning and manners. For you may remember, Sir, [addressing himself to Mr. M. CLIFFORD] we have often heard Mr. COWLEY admire him, not only for the profoundness of his knowledge, which was applauded by all the world, but more especially for those qualities which he himself more regarded, for *his generosity of mind, and his neglect of the vain pomp of human greatness.*

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on all the refinements of civility. Here the world was to appear to me in its fairest form, and, it was not doubted, would put on all its charms to wean me from the love of a studious retired life. I will not say I was disappointed in this expectation. All that the elegance of polished manners could contribute to make society attractive, was to be found in this new scene. My situation, besides, was such, that I came to have a sort of familiarity with greatness. Yet shall I confess my inmost sentiments of this splendid life to you? I found it empty, fallacious, and even disgusting. The outside indeed was fair. But to me, who had an opportunity of looking it through, nothing could be more deformed and hateful. All was ambition, intrigue, and falsehood. Every one intent on his own schemes, frequently wicked, always base and selfish. Great professions of honour, of friendship, and of duty; but all ending in low views and sordid practices. No truth, no sincerity: without which, conversation is but words; and the polish of manners, the idlest foppery.

Surely, interposed I, this picture must be overcharged. Frailties and imperfections, no doubt, there will be in all societies of men, especially where there is room for competition

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in their pursuits of honour and interest. But your idea of a court is that of a den of thieves, only better dressed, and more civilized.

That however, said he, is the idea under which truth obliges me to represent it. Believe me, I have been long enough acquainted with that country, to give you a pretty exact account of its inhabitants. Their sole business is to follow the humour of the prince, or of his favourite, to speak the current language, to serve the present turn, and to cozen one another. In short, their virtue is, civility; and their sense, cunning. You will guess now, continued he, how uneasy I must be in such company; I, who cannot lie, though it were to make a friend, or ruin an enemy; who have been taught to bear no respect to any but true wisdom; and, whether it be nature or education, could never endure (pardon the foolish boast) that hypocrisy should usurp the honours, and triumph in the spoils of virtue.

Nay further, my good friend, (for I must tell you all I know of myself, though it expose me ever so much to the charge of folly or even vanity) I was not born for courts and general conversation. Besides the unconquerable aversion I have to knaves and fools (though

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DIALOGUE II.

these last, but that they are commonly knaves too, I could bring myself to tolerate); besides this uncourtly humour, I have another of so odd a kind, that I almost want words to express myself intelligibly to you. It is a sort of capricious delicacy, which occasions a wide difference in my estimation of those characters, in which the world makes no distinction. It is not enough to make me converse with ease and pleasure with a man, that I see no notorious vices, or even observe some considerable virtues in him. His good qualities must have a certain grace, and even his sense must be of a certain turn, to give me a relish of his conversation.

I see you smile at this talk, and am aware how fantastic this squeamishness must appear to you. But it is with men and manners, as with the forms and aspects of natural things. A thousand objects recal ideas, and excite sensations in my mind, which seem to be not perceived, or not heeded, by other men. The look of a country, the very shading of a landskip, shall have a sensible effect on me, which they, who have as good eyes, appear to make no account of. It is just the same with the characters of men. I conceive a disgust at some, and a secret regard for others, whom many, I believe, would estimate just alike.

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And what is worse, a long and general conversation hath not been able to cure me of this foible. I question, said he, turning himself to me, but, if I was called upon to assign the reasons of that entire affection, which knits me to my best friend, they would be resolved at last into a something, which they, who love him perhaps as well, would have no idea of.

He said this in a way that disarmed me, or I had it in my mind to have rallied him on his doctrine of *occult qualities* and *unintelligible* forms. I therefore contented myself with saying, that I must not hear him go on at this strange rate; and asked him if it was possible he could suffer himself to be biassed, in an affair of this moment, by such whimsies?

Those whimsies, resumed he, had a real effect. But consider further, the endless impertinencies of conversation; the dissipation, and loss of time; the diversion of the mind from all that is truly useful or instructive, from what a reasonable man would or should delight in: add to these, the vexations of business; the slavery of dependence, the discourtesies of some, the grosser injuries of others; the danger, or the scorn, to which virtue is continually subject; in short, the knavery, or folly, or

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malevolence, of all around you; and tell me, if any thing but the unhappy times, and a sense of duty, could have detained a man of my temper and principles so long in a station of life so very uneasy and disgusting to me.

Nothing is easier, said I, than to exaggerate the inconveniencies of any situation. The world and the court have doubtless theirs. But you seem to forget one particular; that the *unhappy times* you speak of, and the state of the court, were an excuse for part of the disagreeable circumstances you have mentioned. The face of things is now altered. The storm is over. A calm has succeeded. And why should not you take the benefit of these halcyon days, in which so many others have found their ease, and even enjoyment?

These halcyon days, returned he, are not, alas! what unexperienced men are ready to represent them. The same vices, the same follies, prevail still, and are even multiplied and enflamed by prosperity. A suffering court, if any, might be expected to be the seedplot of virtues. But, to satisfy your scruples, I have even made a trial of these happier times. All I wished to myself from the happiest, was but such a return for my past services, as might

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enable me to retire with decency. Such a return I seem not to have merited. And I care not at this time of day to waste more of my precious time in deserving a better treatment.

Your day, said I, is not so far spent, as to require this hasty determination. Besides, if this be all, the world may be apt to censure your retreat, as the effect of chagrin and disappointment.

His colour rose, as I said this. The world, resumed he, will censure as it sees fit. I must have leave at length to judge for myself in what so essentially concerns my own happiness. Though if ever *chagrin* may be pleaded as a reason for retirement, perhaps nobody had ever a better right than I have to plead it. You know what hath happened of late, to give me a disgust to courts. You know the view I had in my late comedy [i] and the grounds I had to

[i] *The Cutter of Coleman-street;* the occasion and purpose of which was this: At the Restoration, there was not a set of men more troublesome to the ministry than the cavalier officers; amongst whom had crept in all the profligate of broken fortunes, to share in the merits and rewards of that name. COWLEY writ this comedy to unmask these wretches, and might reasonably pretend to some thanks for it. But, contrary to expectation, this very attempt raised a storm

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DIALOGUE II.

expect that it would not be ill taken. But you know too the issue of that attempt. And should I, after this experience of courtly gratitude, go about to solicit their favours?

But, to let you see that I am swayed by better motives than those of *chagrin*, I shall not conceal from you what I am proud enough to think of my TALENTS, as well as temper.

There are but two sorts of men, pursued he, that should think of living in a court, however it be that we see animals of all sorts, clean and unclean, enter into it.

The one is of those strong and active spirits that are formed for business, whose ambition reconciles them to the bustle of life, and whose capacity fits them for the discharge of its functions. These, especially if of noble birth and good fortunes, are destined to fill the first offices in a state; and if, peradventure, they add virtue to their other parts and qualities, are the blessings of the age they live in. Some few such there have been in former times; and

against him even at court, which beat violently upon him. See his preface to that play in the later editions in 8vo.

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the present, it may be, is not wholly without them. DIALOGUE II.

The OTHER sort, are what one may properly enough call, if the phrase were not somewhat uncourtly, the MOB OF COURTS; they, who have vanity or avarice without ambition, or ambition without talents. These, by assiduity, good luck, and the help of their vices (for they would scorn to earn advancement, if it were to be had, by any worthy practices), may in time succeed to the lower posts in a government; and together make up that showey, servile, selfish crowd, we dignify with the name of COURT.

Now, though I think too justly of myself to believe I am qualified to enter into the *former* of these lists, you may conclude, if you please, that I am too proud to brigue for an admission into the *latter*. I pretend not to great abilities of any kind; but let me presume a little in supposing, that I may have some too good to be thrown away on such company.

Here, my lord, the unusual freedom, and even indecency, of Mr. COWLEY's invective against courts, transported me so far, that I could not forbear turning upon him with some

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DIALOGUE II.

warmth. Surely, said I, my friend is much changed from what I always conceived of him. This heat of language, from one of your candour, surprises me equally with the injustice of it. It is so far from *calm reasoning*, that it wants but little, methinks, of downright railing. I believe, continued I, that I think more highly, that is, more justly, of Mr. COWLEY in every respect, than he allows himself to do. Yet I see not that either his time, or his talents, would be misemployed in the services he so much undervalues. Permit me to say, your resentment hath carried you too far; and that you do not enough consider the friends you left at court, or the noble lord that wishes your return thither.

I do, said he hastily, consider both. But, with your leave, since I am forced to defend myself against an ignominious charge, I must do myself the right to assume what I think belongs to me. I repeat it; I have long thought my time lost in the poor amusements and vanities of the great world, and have felt an impatience to get into a quiet scene, where, slender as my talents are, I might employ them to better purpose.

And think not, proceeded he, that I am

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carried to this choice by any thing so frivolous as the idleness of a poetical fancy. Not but the Muse, which hath been the darling of my youth, may deserve to be the companion of my riper age. For I am far from renouncing an art, which, unprofitable as it hath ever been to me, is always entertaining: and when employed, as I mean it shall be, in other services than those by which a voluptuous court seems willing to disgrace it, I see not what there is in this amusement of poetry, for the severest censor of life and manners to take offence at. Yet still I intend it for an amusement. My serious occupations will be very different; such as you, my friend, cannot disapprove, and should encourage. But I have opened to you my intentions more than once, and need not give you the trouble at this time to hear me explain them.

You mean, interposed I, to apply yourself to *natural* and *religious* inquiries. Your design is commendable; and I would not dissuade you from it. But what should hinder your pursuing this design as well in society as in this solitude?

What, at COURT, returned he, where the only object, that all men are in quest of, is

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DIALOGUE II. GAIN; and the only deity they acknowledge, FORTUNE? Or say that such idolatries did not prevail, there, how shall the mind be calm enough for so sublime inquiries? or where, but in this scene of genuine nature, is there an opportunity to indulge in them? Here, if any where, is the observation of the poet verified, DEUS EST QUODCUNQUE VIDES. Look round, my friend, on this florid earth, on the various classes of *animals* that inhabit, and the countless *vegetable* tribes that adorn it. Here is the proper school of wisdom,

> And this our life, exempt from public haunt,
> Finds tongues in trees, books in the running brooks,
> Sermons in stones, and good in every thing[k].

[k] SHAKESPEAR. *As you like it.* Act II. S. 1.—There is a quaintness in these lines of the great poet, which however are not unlike some of Mr. COWLEY's addressed to J. EVELYNE, Esq.

> Where does the wisdom and the pow'r divine,
> In a more bright and sweet reflexion shine;
> Where do we finer strokes and colours see
> Of the Creator's real poetry;
>
> Than when we with attention look
> Upon the third day's volume of the book?
> If we could open and intend our eye,
> We all, like *Moses*, should espy,
> Ev'n in a *Bush*, the radiant Deity.

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Infinite are the uses, continued he, which would result from this method of applying experiment and observation to *Natural Science*. I have taken occasion, you know, to offer a slight sketch of them to the Public very lately[1]. But the principal I would draw from it to myself should be, to inure the mind to just conceptions of the divine nature; that so, with the better advantage, I might turn myself to the awful study of his *Word*. And here, my friend, I am sensible how much I may expect to be animated by your zeal, and enlightened by your instruction. In the mean time, I pretend to possess some qualities, which, if rightly applied, may not be unsuitable to so high an undertaking. I feel myself impelled by an eager curiosity: I have much patience, and some skill in making experiments. I may even be allowed to boast of a readiness in the learned languages; and am not without a tincture of such other studies, as the successful prosecution of PHYSICS, and still more of DIVINITY, requires. You may further impute to me, if you please, an ingenuous love of truth, and an ordinary degree of judgment to discern it.

1 In the PREFACE to his *Proposition for the advancement of experimental philosophy*, first printed in 1661. *See the edition in* 24to, *Lond. for H. Herringham.*

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These, concluded he, are the TALENTS, of which I spoke to you so proudly; and with the help of these (especially if you allow me *one* other, the power of *communicating* what I may chance to learn of natural or divine things), I might hope to render a better account of this solitude, than of any employments I could reasonably aspire to, in the world of men and of business.

He said this with an air of solemnity, which left me a little at a loss what to reply to him, when he relieved my perplexity by adding, "but, though there was nothing of all this in the case, and my zeal for promoting knowledge in this private way were as lightly to be accounted of, as *that*, which led me to propose the more extensive scheme I before mentioned, probably will be, yet what should draw me from this leisure of a learned retirement? For though I please myself with the prospect of doing some *public* service by my studies, yet need I blush to own, to my learned friend, the fondness I should still have for them, were they only to end in my own *private* enjoyment? Yes, let me open my whole soul to you. I have ever delighted in letters, and have even found them, what the world is well enough content they should be, their own reward. I

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doubt, if this language would be understood in all companies. And let others speak as they find. But to me the year would drag heavily, and life itself be no life, if it were not quickened by these ingenuous pleasures.

Indeed, were it only for the very quiet and indolence of mind, which retirement promises, why should I be envied this calm in the decline of a troubled life? But let the Muse speak for me,

"After long toils and voyages in vain,
This quiet port let my tost vessel gain;
Of heav'nly rest this earnest to me lend,
Let my life sleep, and learn to love her end."

And what if they, who have not the means of enjoying this rest, submit to the drudgery of business? Is that a reason for me to continue in it, who have made my fortune, even to the extent of my wishes? I see you smile at this boast. But where would you have me stop in my desires; or what is it you would have me understand by the mysterious language of *making a fortune*? Is it two hundred a year, or four, or a thousand? Say, where shall we fix, or what limits will you undertake to prescribe to the vague and shifting notion of

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a competency? Or, shall we own the truth at once, that every thing is a *competency* which a man is contented to live upon, and that therefore it varies only, as his desires are more or less contracted?

To talk at any other rate of a *man's fortune*, is surely to expose one's self to the ridicule, which the philosopher, you know, threw on the restless humour of king Pyrrhus. 'Tis whim, chimera, madness, or what you will, except sober reason and common sense. Yet still the world cries, "What, sit down with a pittance, when the ways of honour and fortune are open to you? take up with what may barely satisfy, when you have so fair a chance for affluence, and even superfluity?"

Alas! and will that *affluence*, then, more than satisfy? or can it be worth the while to labour, for a *superfluity*?

'Tis true the violence of the times, in which it was my fortune to bear a part, had left me bare and unprovided even of those moderate accommodations, which my education and breeding might demand, and which a parent's piety had indeed bequeathed to me. It was but fitting then I should strive to repair this

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loss; and the rather, as my honest services gave me leave to hope for a speedy reparation. And thus far I was contented to try my fortune in the court, though at the expence of much uneasy attendance and solicitation. But, seeing that this assiduity was without effect, and that the bounty of two excellent persons[m] hath now set me above the necessity of continuing it, what madness were it to embark again

"Fluctibus in mediis et tempestatibus urbis!"

So that if you will needs be urging me with the ceaseless exhortation of

"I, bone, quo virtus tua te vocat: I pede fausto,
Grandia laturus meritorum præmia:—"

I must take leave to remind you of the sage reply that was made to it. It was, you know, by an old soldier, who found himself exactly in my situation. The purse, which he had lost by one accident, he had recovered by another. The conclusion was, that he had no mind, in this different state of affairs, to turn

[m] Dr. SPRAT tells us, "That he had obtained a plentiful estate by the favour of my Lord ST. ALBANS, and the bounty of my lord duke of BUCKINGHAM." [See his *Life*.]

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 adventurer again, and expose himself to the same perilous encounters:

"Post hæc ille catus, quantumvis RUSTICUS, ibit,
Ibit eo, quo vis QUI ZONAM PERDIDIT, inquit."

In one word, my friend, I am happy here, as you see me, in my little farm, which yet is large enough to answer all my real necessities; and I am not in the humour of him in the fable[n], to fill my head with visions, and spend a wretched life in quest of the *flying island*.

And now, added he, you have before you in one view the principal reasons that have determined me to this retreat. I might have enlarged on each more copiously; but I know to whom I speak: and perhaps to such a one I might even have spared a good deal of what I have now been offering, from the several considerations of my TEMPER, TALENTS, and SITUATION.

Here he stopped. And now, my lord, it came to my turn to take the lead in this con-

[n] Meaning *The true history of* Don Quixote; in which poor *Sancho Panca* is drawn into all adventures, by the promise of his *knight*, to reward him in due time with the government of an *island*.

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troversy. There was indeed an ample field before me. And, if the other side of the question afforded most matter for wit and declamation, mine had all the advantages of good sense and sound reason. The superiority was so apparent, and my victory over him, in point of argument, so sure, that I thought it needless and ungenerous to press him on every article of his defence, in which he had laid himself open to me.

Your lordship hath, no doubt, observed, with wonder and with pity, the strange spirit that runs through every part of it: the confined way of thinking, which hath crept upon him; the cynical severity, he indulges against courts; the importance he would sometimes assume to his own character; the peevish turn of mind, that leads him to take offence at the lighter follies and almost excusable vices of the great; in short, the resentment, the pique, the chagrin, which one overlooks in the hopeless suitor, or hungry poet, but which are very unaccountable in one of Mr. Cowley's condition and situation.

Here then, my lord, was a fair occasion for a willing adversary. But I spared the infirmities of my friend. I judged it best, too, to

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keep him in temper, and avoid that heat of altercation, which must have arisen from touching these indiscretions, as they deserved. Your lordship sees the reason I had for confining my reply to such parts of his apology, as bore the fairest shew of argument, and might be encountered without offence.

When he had ended, therefore, with so formal a recapitulation of his discourse, I thought it not amiss to follow him in his own train; and, dissembling the just exceptions I had to his vindication in other respects, "You have proceeded, said I, in a very distinct method, and have said as much, I believe, on the subject, as so bad a cause would admit. But if this indeed be all you have to allege, for so uncommon a fancy, you must not think it strange, if I pronounce it, without scruple, very insufficient for your purpose.

For, to give your several pleas a distinct examination, what is that TEMPER, let me ask, on which you insist so much, but a wayward humour, which your true judgement should correct and controul by the higher and more important regards of *duty?* Every man is born with some prevailing propensity or other, which, if left to itself, and indulged beyond

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certain bounds, would grow to be very injurious to himself and society. There is something, no doubt, amusing in the notion of *retirement*. The very word implies ease and quiet, and self-enjoyment. And who doubts, that in the throng and bustle of life, most men are fond to image to themselves, and even to wish for a scene of more composure and tranquillity? It is just as natural as that the labourer should long for his repose at night; or that the soldier, amidst the dust and heat of a summer's march, should wish for the conveniencies of shade and shelter. But what wild work would it make if these so natural desires should be immediately gratified? if the labourer should quit his plow, and the soldier his arms, to throw themselves into the first shade or thicket that offered refreshment? All you have therefore said on this article can really stand for nothing in the eye of sober reason, whatever figure it may make in the dress of your eloquence[o]. The inconveniencies of every station are to be endured from the obligations of

[o] LORD BACON gives another account of this matter.—"As for the privateness of life of contemplative men, it is a theme so common to extol a private life, not taxed with sensuality and sloth, in comparison, and to the disadvantage of a civil life, for safety, liberty, pleasure, and dignity, *as no man handleth it, but handleth it well*: such

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DIALOGUE II. duty, and on account of the services one is bound to render to himself and his country.

True, replied he, if it appeared to be one's duty, or even interest, to continue in that station. But what principle of conscience binds me to a slavish dependence at court? or what interest, public or private, can be an equivalent for wearing these chains, when I have it in my power to throw them off, and redeem myself into a state of liberty?

What *Interest*, do you ask? returned I. Why that great and extensive one, which *society* hath in an honest and capable man's continuing to bear a part in public affairs. For as to inducements of another kind, I may find occasion hereafter to press them upon you more seasonably. Consider well with yourself, what would the consequence be, if all men of honour and ability were to act upon your principles? What a world would this be, if knaves and fools only had the management in their hands, and all the virtuous and wise, as it were by common consent, were to withdraw from it? Nay, the issue would even be fatal to them-

a consonancy it hath to men's conceits in the expressing, and to men's consents in the allowing." [*Adv. of Learning*, Book I.]

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selves; and they would presently find it impossible to taste repose, even in their own sanctuary of retirement.

Small need, replied he, to terrify one's self with such apprehensions. The virtuous, at least they who pass for such, will generally have ambition enough to keep them in the road of public employments. So long as there are such things as riches and honours, courts will never be unfurnished of suitors, even from among the tribes of lettered and virtuous men. The desperately bad, at least, will never have the field left entirely to themselves. And, after all, the interest of men in office is, in the main, so providentially connected with some regard to the rules of honour and conscience, that there is seldom any danger that matters should come to extremities under the *worst* administration. And I doubt this is all we are to expect, or at least to reckon upon with assurance, under the very *best*.

But my answer is more direct. It is not for your little friend to think of getting a seat in the cabinet-council, or of conducting the great affairs of the state. He knows himself to be as unfit for those high trusts, as he is incapable of aspiring to them. Besides, he does not allow

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DIALOGUE II. himself to doubt of their being discharged with perfect ability, by the great persons who now fill them. HE, at least, who occupies the foremost place of authority, is, by the allowance of all, to be paralleled with any that the wisest prince hath ever advanced to that station[p]. And when so consummate a pilot sits at the helm, it seems a matter of little moment

[p] The justness of this encomium on Lord CLARENDON will hardly be disputed by any man, whose opinion is worth regarding.—What pity, that Mr. COWLEY's connexions with some persons, indevoted to the excellent Chancellor, kept him at a distance from a man, so congenial to himself, and for whom he could not but entertain the highest esteem! The Chancellor, though he could not be expected to take him out of the hands of his old patrons, seems, yet, to have been generous enough to Mr. COWLEY, not to resent those connexions: as may be gathered from the handsome testimony paid to his merit, in the *Continuation of the History of his own Life*. Speaking of B. JONSON, he says—" He [BEN JONSON] was the best judge of, and fittest to prescribe rules to, poetry and poets, of any man who had lived with, or before him, or since; *If Mr.* COWLEY *had not made a flight beyond all men;* with that modesty yet, to ascribe much of this, to the example and learning of BEN JONSON."—Among the other infelicities of men of genius, ONE is, and not the least, that it rarely happens to them to have the choosing of the persons, to whom they would most wish to be obliged. The sensibility of their gratitude being equal to their other parts and virtues, the man, whose favour they chance first to experience, is sure of their constant services

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by what hands the vessel of the commonwealth is navigated. DIALOGUE II.

I could not agree with him in this concluding remark, and much less in the high-flown encomium which introduced it[q]. But, waving these lesser matters, I contented myself with observing, "That let him put what gloss he would on this humour of declining civil business, it must needs be considered by all unbiassed persons, as highly prejudicial to public order and government; that, if good men would not be employed, the bad must; and that, to say the least, the cause of learning and virtue must suffer exceedingly in the eyes of men, when they see those very qualities, which alone can render us useful to the world, dispose us to fly from it.

For as to the *plea*, continued I, of employing them to better purpose in the way of *private and solitary* CONTEMPLATION, I can hold it for little better than enthusiasm. Several

and attachment through life, how strongly soever their interest, and even their judgment, may *draw* another way.

q The reader is not to forget, that Mr. SPRAT is writing to the Lord ST. ALBANS, and was, at this time, chaplain to the Duke of BUCKINGHAM.

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persons, I know, would give it a worse name, and say, as TACITUS somewhere does, that it serves only for a specious cover to that love of ease and self-indulgence, which he will have to be at the bottom of such pretences[r]. But even with the best construction the matter was capable of, he could never, I insisted, justify that plea to the understandings of prudent and knowing men. We allow the obscure pedant to talk high of the dignity of his office, and magnify, as much as he pleases, the importance of his speculations. Such an indulgence serves to keep him in humour with himself, and may be a means to convert a low and plodding genius to the only use of which it is capable. But for a man of experience in affairs, and who is qualified to shine in them, to hold this language, is very extraordinary.

I saw with what impatience he heard me, and therefore took care to add, "'Tis true, the studies to which you would devote yourself, are the noblest in the world of science. For *Divinity*, the very name speaks its elo-

r "Ingenium illustre altioribus studiis juvenis admodum dedit: non, ut PLERIQUE, UT NOMINE MAGNIFICO SEGNE OTIUM VELARET, sed quo firmior adversus fortuita rempublicam capesseret." [*Hist.* IV. 5.]—Part of the fine character given us of HELVIDIUS PRISCUS.

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gium. And the countenance which his majesty is pleased, in his true wisdom, to give to *natural science*, must be thought to ennoble that branch of learning beyond all others, that are merely of human consideration. Yet still, my friend, what need of taking these studies out of the hands of those, to whom they are properly intrusted? Religion is very safe in the bosom of the national church. And questions of natural science will doubtless be effectually cleared and ventilated in the *New Society*[s], and in the schools of our *Universities*. It could never be his majesty's intention to thin his court, for the sake of furnishing students in natural philosophy."

And can you, then, interposed he, in your concern for what you very improperly call my interests, allow yourself to speak so coolly of the great interests of natural and divine truth? Is religion a trade to be confined to the craftsmen? Or, are fellows of colleges and of the Royal Society, if such we are to have, the only persons concerned to adore God in the wonders of his creation? Pardon me, my friend: I know you mean nothing less; but the strange

[s] THE ROYAL SOCIETY; not yet instituted, but much talked of at this time.

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indifference of your phrase provokes me to this expostulation.

You warm yourself, resumed I, too hastily. My design was only to suggest, that as there are certain orders of men appointed for the sole purpose of studying divinity, and advancing philosophy, I did not see that a man of business was obliged to desert his proper station for the sake of either.

I suspect, said he, there may be some equivocation wrapped up in that word *obliged.* All I know is, that I shall spend my time more innocently, at least; and, I presume to think, more usefully in those studies, than in that slippery *station,* if it may deserve to be called one, of court-favour and dependance. And if I extended the observation to many others, that are fond to take up their residence in these quarters, I cannot believe I should do them any injustice.

I cannot tell, returned I, against whom this censure is pointed. But I know there are many of the gravest characters, and even lights and fathers of the church, who do not consider it as inconsistent, either with their duty, or

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the usefulness of their profession, to continue in that station. DIALOGUE II.

O! mistake me not, replied he: I intended no reflection on any of the clergy, and much less on the great prelates of the church, for their attendance in the courts of princes. Theirs is properly an exempt case. They are the authorized guides and patterns of life. Their great abilities indeed qualify them, above all others, for serving the cause of science and religion, by their private studies and meditations. But they very properly consider too, that part of their duty is to enlighten the ignorant of all ranks, by their wise and pious discourse, and to awe and reclaim the wandering of all denominations, by their example. Hence it is, that I cannot enough admire the zeal of so many pastors of the church; who, though the slavish manners and libertinism of a court must be more than ordinarily offensive to men of their characters, continue to discharge their office so painfully, and yet so punctually, in that situation.

Here, my lord, observing my friend for once to deliver himself reasonably, I was encouraged to add, that since he was so just to maintain the commerce of good and wise churchmen in

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the great world to be, as it truly was, a matter of duty, he should also have the candour to own, that his withdrawing from it was, at least, a work of *Supererogation.*

It might be so, he said; but, though our church gave no encouragement to think we *merit* by such works, he did not know that it condemned and utterly forbad them.

O! but, returned I, if that be all, and you acknowledge at last that your *retiring* is no matter of duty, it will be easy to advance another step, and demonstrate to you, that such a project is, in your case, altogether unreasonable [t].

For, notwithstanding all you have said, in the spirit and language of stoicism, of the com-

[t] We have in this remonstrance that follows; the usual language of those we call our *friends;* which may sometimes be the *cause,* but is oftner the *pretence,* of ambition. Hear how gravely Sir DUDLEY CARLTON, who loved business, and drudged on in it all his life, is pleased, in an evil hour, to express himself: "The best is, I was never better, and were it not more for a necessity that is imposed by the EXPECTATION OF FRIENDS, not to stand at a stay and SENESCERE, whilst a man is young, than for ambition, I would not complain myself of my misfortune." [Sir RALPH WINWOOD'S *Memorials,* vol. II. p. 45.]

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forts of your present SITUATION, will you seriously undertake to persuade me that they are in any degree comparable to what you might propose to yourself, by returning to a life of business? Is the littleness, the obscurity, and pardon me if I even say, the meanness of this retreat, to be put in competition with the liberal and even splendid provision, which your friends at court will easily be able to make for you? Is it nothing, my friend, (for let us talk common sense, and not bewilder ourselves with the visions of philosophy) is it nothing to live in a well-furnished house, to keep a good table, to command an equipage, to have many friends and dependants, to be courted by inferiors, to be well received by the great, and to be somebody even in the *presence*?

And what if, in order to compass such things, some little devoirs and assiduities are expected? Is it not the general practice? And what every body submits to, can it be ignominious? Is this any thing more than conforming one's self to the necessary subordination of society? Or, what if some time passes in these services, which a present humour suggests might be more agreeably spent in other amusements? The recompence cannot be far off; and, in the mean time, the lustre and very agitation of a

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life of business, hath somewhat in it sprightly and amusing. Besides, yours is not the case of one that is entering, for the first time, on a course of expectation. Your business is half done. The prince is favourable; and there are of his ministers that respect and honour you. Your services are well known; your reputation is fair; your connexions great; and the season inviting. What, with all these advantages, forego the court in a moping mood, or, as angry men use, run to moralize in a cloister!

I was proceeding in the warmth of this remonstrance, when, with a reproachful smile, he turned upon me, and, in a kind of rapture, repeated the following lines of SPENSER:

"Full little knowest thou, that hast not tried,
What hell it is in suing long to bide:
To lose good days, that might be better spent;
To waste long nights in pensive discontent:
To speed to-day, to be put back to-morrow;
To feed on hope, to pine with fear and sorrow;
To have thy prince's grace, yet want his peeres[u];

[u] That Mr. COWLEY *had* his prince's grace appears from what the king said of him, on the news of his death: "*That he had not left a* BETTER *man behind him in* England." And this was *grace* enough, in reason, from SUCH a prince.—How it came to pass that he *wanted* the grace

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To have thy askings, yet wait many yeers [w];
To fret thy soul with crosses and with cares;
To eat thy heart through comfortless despaires;
To faun, to crouche, to wait, to ride, to ronne;
To spend, to give, to want, to be undonne."

This, said he, is my answer once for all to your long string of interrogatories. I learnt it of one that had much experience in courts: and I thought it worth imprinting on my memory, to have it in readiness on such an occasion. Or, if you would rather have my answer in my own words, the Muse shall give it you in a little poem, she dictated very lately [x]. It may shew

of his peeres (if, indeed, he *did* want it), hath been explained in a note, p. 140.

[w] The application of this line is the affair of the *Mastership of the* Savoy; "which though granted, says Mr. Wood, to his highest merit by both the CHARLESES I. and II. yet by certain persons, enemies to the Muses, he lost that place." But this was not the worst. For, such is the hard lot of unsuccessful men, the *Savoy-missing* COWLEY became the object of ridicule, instead of pity, even to the wits themselves; as may be seen in "*The session of the poets*, amongst *the miscellaneous poems* published by Mr. DRYDEN."

Quid DOMINI facient, audent si talia FURES?

[x] Printed among his works, under the name of THE COMPLAINT. The relation it has to the subject debated, made me think it not amiss to print it at the end of this Dialogue — It must raise one's indignation to find that so

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you perhaps, that, though my nature be somewhat melancholy, I am not *moping*; and that I can moralize, and even *complain*, as I have reason to do, without being *angry*.

The look and tone of voice, with which he said this, a little disconcerted me. But I recovered myself, and was going on to object to his unreasonable warmth, and the fascination of this wicked poetry, when he stopped me with saying, "Come, no more of these remonstrances and upbraidings. I have heard enough of your pleadings in a cause, which no eloquence can carry against my firm and fixed resolutions. I have seen, besides, the force you have done to yourself in this mock combat. Your extreme friendliness hath even tempted you to act a part which your true sense, and the very decorum of your profession, I have observed through all your disguises, has rendered painful to you. I will tell you my whole mind in one word. No inducements of what the world calls INTEREST, no views of HONOUR, no, nor what the poet aptly calls, SANCTISSIMA DIVITIARUM MAJESTAS [y], shall make me recede from the

just, so delicate, and so manly a *complaint* should be scoffed at, as it was by the wits before mentioned, under the name of THE PITIFUL MELANCHOLY.

[y] Juvenal, *Sat.* i. ver. 112.

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purpose I am bent upon, of consecrating the remainder of a comfortless distracted life, to the sweets of this obscure retirement. Believe me, I have weighed it well, with all its inconveniencies. And I find them such as are nothing to the agonies I have long felt in that troubled scene, to which you would recal me. If it hath any ingredients, which I cannot so well relish, they are such as my friends, and, above all, such as you, my best friend, may reconcile to me. Let me but have the pleasure to see the few, I love and esteem, in these shades, and I shall not regret their solitude.

And as for my much honoured friend, whose munificence hath placed me in them, I shall hope to satisfy him in the most effectual manner. Nothing, you will believe, could give me a pain equal to that of being suspected of ingratitude towards my best benefactor. It was indeed with the utmost difficulty, that I constrained myself at last to think of leaving his service. The truth is, he expostulated with me upon it pretty roundly; and though my resolution was taken, I left him with the concern of not being able to give him entire satisfaction. These repeated instances by you are a fresh proof of his goodness, and do me an honour I had little reason to expect from him. But

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his lordship's notions of life and mine are very different, as is fitting in persons, whom fortune hath placed in two such different situations. It becomes me to bear the most grateful remembrance of his kind intentions; and, for the rest, I can assure myself, that his equity and nobleness of mind, will permit an old servant to pursue, at length, his own inclinations.

However, to repay his goodness as I can, and to testify all imaginable respect to his judgment, I have purposed to write my own APOLOGY to his lordship; and to represent to him, in a better manner, than I have done in this sudden and unpremeditated conversation, the reasons that have determined me to this resolution. I have even made some progress in the design, and have digested into several *essays* the substance of such reflections as, at different times, have had most weight with me [z].

[z] Whether it were owing to his other occupations, or that he had no great confidence in the success of this attempt, these *Essays*, which *were to give entire satisfaction* to his court-friend in the affair of his retirement, went on very slowly. They were even left imperfect at his death, "a little before which (says Dr. SPRAT) he communicated to me his resolution, to have dedicated them all to my

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Hearing him speak in so determined a manner, I was discouraged from pressing him further with such other considerations, as I had prepared on this argument. Only I could not help enforcing, in the warmest manner, and in terms your lordship would not allow me to use in this recital, what he himself had owned of your unexampled goodness to him; and the obligation which, I insisted, that must needs create in a generous mind, of paying an unreserved obedience to your lordship's pleasure. He gave me the hearing very patiently; but contented himself with repeating his design of justifying himself to your lordship in the apology he had before promised.

And now, resumed he with an air of alacrity, since you know my whole mind, and that no remonstrances can move me, confess the whole truth; acknowledge at last that you

Lord ST. ALBANS, as a testimony of his entire respects to him; and a *kind of apology* for having left human affairs in the strength of his age, while he might have been serviceable to his country."——However, if this apology had not the *intended* effect, it had a much better. Lords and wits may decide of the qualities of Mr. COWLEY's *head* as they please; but, so long as these *Essays* remain, they will oblige all honest men *to love the language of his heart.*

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have dissembled with me all this while, and that, in reality, you approve my resolution. I know you do, my friend, though you struggle hard to conceal it. It cannot be otherwise. Nature, which linked our hearts together, had formed us in one mould. We have the same sense of things; the same love of letters and of virtue. And though I would not solicit one of your years and your profession to follow me into the shade, yet I know you so well [a], that you will preserve in the world that equal frame of mind, that indifference to all earthly things, which I pretend to have carried with me into this solitude.

Go on, my friend, in this track; and be an example to the churchmen of our days, that the highest honours of the gown, which I easily foresee are destined to your abilities, are not incompatible with the strictest purity of life, and the most heroic sentiments of integrity and honour. Go, and adorn the dignities which are reserved for you; and remember only in the heights of prosperity to be what you are, to serve the world with vigour, yet so as to indulge with me

[a] Alas! he was mistaken.

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"THE GENEROUS SCORN
OF THINGS, FOR WHICH WE WERE NOT BORN [b]."

I began to be a little uneasy at his long sermon, when he broke it off with this couplet. The day by this time was pretty far advanced; and rising from his seat, he proposed to me to walk into his hermitage (so he called his house); where, he said, I should see how a philosopher lived as well as talked. I staid to dine, and spent a good part of the afternoon with him. We discoursed of various matters; but not a word more on what had occasioned this visit. Only he shewed me the *complaining poem* he had mentioned, and of which, for the pleasure so fine a composition will give you, I here send your lordship a copy. His spirits, he said, were enlivened by the face of an old friend; and indeed I never knew his conversation more easy and chearful [c]; which yet I could not perfectly enjoy for the regret the ill success of my negociation had given me.

b A citation from one of his own poems.

c Mr. SPRAT himself tells us, speaking of Mr. COWLEY's retreat, that "some few friends and books, a *chearful heart*, and innocent conscience, were his constant companions." *Life.*

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DIALOGUE II.

I returned to town in the evening, ruminating on what had passed, and resolving to send your lordship an exact account of our conversation. I particularly made a point of suppressing nothing which Mr. COWLEY had to say for himself in this debate, however it may sometimes seem to make against me. The whole hath grown under my pen into a greater length than I expected. But your Lordship wished to know the bottom of our friend's mind; and I thought you would see it more distinctly and clearly in this way, than in any other. I am, my lord, with the most profound respect,

Your Lordship's most obedient

and faithful servant,

T. SPRAT.

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THE

COMPLAINT[d].

IN a deep vision's intellectual scene
Beneath a bower for sorrow made,
    Th' uncomfortable shade
    Of the black yew's unlucky green,
Mixt with the mourning willow's careful gray,
Where reverend CAM cuts out his famous way,
  The melancholy COWLEY lay:
And lo! a Muse appear'd to's closed sight,
(The Muses oft in lands of visions play)
Bodied, array'd, and seen by an internal light:
A golden harp with silver strings she bore,
A wonderous hieroglyphic robe she wore,

[d] This is one of the prettiest of Mr. COWLEY's smaller Poems. The plan of it is highly poetical: and, though the numbers be not the most pleasing, the expression is almost every where natural and beautiful. But its principal charm is that air of *melancholy*, thrown over the whole, so expressive of the poet's character.

The *address* of the writer is seen in conveying his just reproaches on the *Court*, under a pretended vindication of it against the *Muse*.

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In which all colours, and all figures were,
That nature, or that fancy can create,
That art can never imitate;
And with loose pride it wanton'd in the air.
In such a dress, in such a well-cloath'd dream,
She us'd of old, near fair ISMENUS' stream,
PINDAR her THEBAN favourite to meet;
A crown was on her head, and wings were on her feet.

II.

She touch'd him with her harp, and rais'd him from the ground;
The shaken strings melodiously resound.
Art thou return'd at last, said she,
To this forsaken place and me?
Thou prodigal, who didst so loosely waste
Of all thy youthful years, the good estate?
Art thou return'd here to repent too late;
And gather husks of learning up at last,
Now the rich harvest-time of life is past,
And *Winter* marches on so fast?
But when I meant t' adopt thee for my son,
And did as learn'd a portion thee assign,
As ever any of the mighty Nine
Had to her dearest children done;

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When I resolv'd t' exalt thy anointed name,
Among the spiritual lords of peaceful fame[e];
Thou changeling, thou, bewitch'd with noise and show,
Would'st into courts and cities from me go;
Would'st see the world abroad, and have a share
In all the follies, and the tumults there.
Thou would'st, forsooth, be something in a state,
And business thou would'st find, and would'st create:
Business! the frivolous pretence
Of humane lusts to shake off innocence:
Business! the grave impertinence:
Business! the thing which I of all things hate:
Business! the contradiction of thy fate.

III.

Go, renegado, cast up thy account,
And see to what amount
Thy foolish gains by quitting me:
The sale of knowledge, fame, and liberty,
The fruits of thy unlearn'd apostasy.
Thou thought'st, if once the public storm were past,
All thy remaining life should sun-shine be;
Behold, the public storm is spent at last,

[e] An execrable line.

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The sovereign is tost at sea no more,
And thou, with all the noble company,
Art got at last to shore.
But whilst thy fellow voyagers, I see,
All march'd up to possess the promis'd land,
Thou still alone (alas!) dost gaping stand
Upon the naked beach, upon the barren sand.

IV.

As a fair morning of the blessed spring,
After a tedious stormy night;
Such was the glorious entry of our king:
Enriching moisture dropp'd on every thing;
Plenty he sow'd below, and cast about him light.
But then (alas!) to thee alone,
One of old GIDEON's miracles was shown;
For every tree, and every herb around,
With pearly dew was crown'd,
And upon all the quicken'd ground
The fruitful seed of heaven did brooding lye,
And nothing but the Muse's fleece was dry.
It did all other threats surpass
When God to his own people said,
(The men, whom thro' long wanderings he had led)
That he would give them ev'n a heaven of brass;
They look'd up to that heaven in vain,
That bounteous heaven, which God did not restrain,
Upon the most unjust to shine and rain.

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V.

The RACHAEL, for which twice seven years and more
Thou didst with faith and labour serve,
And didst (if faith and labour can) deserve,
Though she contracted was to thee,
Giv'n to another who had store
Of fairer, and of richer wives before,
And not a *Leah* left, thy recompence to be.
Go on, twice seven years more thy fortune try,
Twice seven years more, God in his bounty may
Give thee, to fling away
Into the court's deceitful lottery.
But think how likely 'tis that thou,
With the dull work of thy unwieldy plough,
Should'st in a hard and barren season thrive,
Should even able be to live;
Thou, to whose share so little bread did fall,
In the miraculous year, when MANNA rain'd on all.

VI.

Thus spake the Muse, and spake it with a smile,
That seem'd at once to pity and revile,

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And to her thus, raising his thoughtful head,
The melancholy COWLEY said:
Ah, wanton foe, dost thou upbraid
The ills which thou thyself hast made?
When, in the cradle, innocent I lay,
Thou, wicked spirit, stolest me away,
And my abused soul didst bear
Into thy new-found worlds I know not where,
Thy golden *Indies* in the air;
And ever since I strive in vain
My ravish'd freedom to regain:
Still I rebel, still thou dost reign,
Lo, still in verse against thee I complain.
There is a sort of stubborn weeds,
Which if the earth but once, it ever breeds;
No wholesome herb can near them thrive,
No useful plant can keep alive;
The foolish sports I did on thee bestow,
Make all my art and labour fruitless now;
Where once such Fairies dance no grass doth ever grow.

VII.

When my new mind had no infusion known,
Thou gav'st so deep a tincture of thine own,
That ever since I vainly try
To wash away the inherent dye:

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Long work perhaps may spoil thy colours quite,
But never will reduce the native white;
To all the ports of honour and of gain,
I often steer my course in vain,
Thy gale comes cross, and drives me back again.
Thou slack'nest all my nerves of industry,
By making them so oft to be
The tinkling strings of thy loose minstrelsie.
Whoever this world's happiness would see,
Must as entirely cast off thee,
As they who only heaven desire,
Do from the world retire.
This was my error, this my gross mistake,
Myself a demy-votary to make.
Thus with SAPPHIRA, and her husband's fate,
(A fault which I like them am taught too late)
For all that I gave up, I nothing gain,
And perish for the part which I retain.

VIII.

Teach me not then, O thou fallacious Muse,
The court, and better king, t' accuse;
The heaven under which I live is fair;
The fertile soil will a full harvest bear;
Thine, thine is all the barrenness; if thou
Mak'st me sit still and sing, when I should plough;

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When I but think, how many a tedious year
Our patient sov'reign did attend
His long misfortunes fatal end;
How chearfully, and how exempt from fear,
On the Great Sovereign's will he did depend,
I ought to be accurst, if I refuse
To wait on his, O thou fallacious Muse!
Kings have long hands (they say) and though I be
So distant, they may reach at length to me.
However, of all princes, thou
Should'st not reproach rewards for being small or slow;
Thou, who rewardest but with popular breath,
And that too after death.

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DIALOGUE III.

ON THE

GOLDEN AGE OF QUEEN ELIZABETH:

BETWEEN

THE HON. ROBERT DIGBY,

DR. ARBUTHNOT,

AND

MR. ADDISON.

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DIALOGUE III.

ON THE AGE OF QUEEN ELIZABETH.

MR. DIGBY, DR. ARBUTHNOT,
MR. ADDISON.

IT happened, in the summer of the year 1716, that Dr. ARBUTHNOT and Mr. ADDISON had occasion to take a journey together into *Warwickshire*. Mr. DIGBY, who had received intelligence of their motions, and was then at *Coleshill*, contrived to give them the meeting at *Warwick*; where they intended to pass a day or two, in visiting the curiosities of that fine town, and the more remarkable of those remains of antiquity that are to be seen in its neighbourhood. These were matter of high entertainment to all of them; to Dr. ARBUTHNOT, for the pleasure of recollecting the ancient times; to Mr. ADDISON, on account of

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DIALOGUE III.

some political reflexions, he was fond of indulging on such occasions; and to Mr. DIGBY, from an ingenuous curiosity, and the love of seeing and observing whatever was most remarkable, whether in the past ages, or the present.

Amongst other things that amused them, they were much taken with the great church at *Warwick*. They entertained themselves with the several histories, which it's many old monuments recalled to their memory [f]. The famous inscription of Sir FULK GREVIL occasioned some reflexions; especially to Mr. DIGBY, who had used to be much affected with the fame and fortunes of the accomplished Sir PHILIP SIDNEY. The glory of the house of WARWICK was, also, an ample field of meditation. But what chanced to take their attention most, was the monument of the great earl of LEICESTER. It recorded his titles at full length, and was, besides, richly decorated with sculpture, displaying the various ensigns and trophies of his greatness. The pride of this minister had never appeared to them so conspicuous, as in the legends and ornaments of

[f] For the account of these *Monuments*, and of *Kenelworth-Castle*, see the plans and descriptions of DUGDALE.

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his tomb-stone; which had not only outlived his family, but seemed to assure itself of immortality, by taking refuge, as it were, at the foot of the altar.

These funeral honours engaged them in some common reflexions on the folly of such expedients to perpetuate human grandeur; but at the same time, as is the usual effect of these things, struck their imaginations very strongly. They readily apprehended what must have been the state of this mighty favourite in his lifetime, from what they saw of it in this proud memorial, which continued in a manner to insult posterity so many years after his death. But understanding that the fragments at least of his supreme glory, when it was flourishing at its height, were still to be seen at KENELWORTH, which they knew could be at no great distance, they resolved to visit them the next day, and indulge to the utmost the several reflexions which such scenes are apt to inspire. On enquiry, they found it was not more than five or six miles to the castle; so that, by starting early in the morning, they might easily return to dinner at *Warwick*. They kept to their appointment so well, that they got to *Kenelworth* in good time, and had even two

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or three hours on their hands to spend, in taking an exact view of the place.

It was luckily one of those fine days, which our travellers would most have wished for, and which indeed are most agreeable in this season. It was clear enough to afford a distinct prospect of the country, and to set the objects, they wanted to take a view of, in a good light; and yet was so conveniently clouded as to check the heat of the sun, and make the exercise of walking, of which they were likely to have a good deal, perfectly easy to them.

When they alighted from the coach, the first object that presented itself was the principal GATE-WAY of the Castle. It had been converted into a farm-house, and was indeed the only part of these vast ruins that was inhabited. On their entrance into the *inner-court*, they were struck with the sight of many mouldering towers, which preserved a sort of magnificence even in their ruins. They amused themselves with observing the vast compass of the whole, with marking the uses, and tracing the dimensions, of the several parts. All which it was easy for them to do, by the very distinct traces that remained of them, and especially by means

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of DUGDALE's plans and descriptions, which they had taken care to consult. DIALOGUE III.

After rambling about for some time, they clambered up a heap of ruins, which lay on the west side the court: and thence came to a broken tower, which, when they had mounted some steps, led them out into a path-way on the tops of the walls. From this eminence they had a very distinct view of the several parts they had before contemplated; of the *gardens* on the north-side; of the *winding meadow* that encompassed the walls of the castle, on the west and south; and had, besides, the command of the country round about them for many miles. The prospect of so many antique towers falling into rubbish, contrasted to the various beauties of the landscape, struck them with admiration, and kept them silent for some time.

At length recovering himself, I perceive, said Dr. ARBUTHNOT, we are all of us not a little affected with the sight of these ruins. They even create a melancholy in me; and yet a melancholy of so delightful a kind, that I would not exchange it, methinks, for any brisker sensation. The experience of this effect hath often led me to enquire, how it is that the mind,

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DIALOGUE III. even while it laments, finds so great a pleasure in visiting these scenes of desolation. Is it, continued he, from the pure love of antiquity, and the amusing train of reflexions into which such remains of ancient magnificence naturally lead us?

I know not, returned Mr. ADDISON, what pain it may give you to contemplate these triumphs of time and fortune. For my part, I am not sensible of the mixt sensation you speak of. I feel a pleasure indeed; but it is sincere, and, as I conceive, may be easily accounted for. 'Tis nothing more, I believe, than a fiction of the imagination, which makes me think I am taking a revenge on the once prosperous and overshadowing height, PRÆUMBRANS FASTIGIUM, as somebody expresses it, of inordinate Greatness. It is certain, continued he, this theatre of a great statesman's pride, the delight of many of our princes, and which boasts of having given entertainment to one of them in a manner so splendid, as to claim a remembrance, even in the annals of our country, would now, in its present state, administer ample matter for much insulting reflexion.

"Where, one might ask, are the tilts and tournaments, the princely shows and sports,

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which were once so proudly celebrated within these walls? Where are the pageants, the studied devices and emblems of curious invention, that set the court at a gaze, and even transported the high soul of our ELIZABETH? Where now, pursued he, (pointing to that which was formerly a canal, but at present is only a meadow with a small rivulet running through it) where is the floating island, the blaze of torches that eclipsed the day, the lady of the lake, the silken nymphs her attendants, with all the other fantastic exhibitions surpassing even the whimsies of the wildest romance? What now is become of the revelry of feasting? of the minstrelsy, that took the ear so delightfully as it babbled along the valley, or floated on the surface of this lake? See there the smokeless kitchens, stretching to a length that might give room for the sacrifice of a hecatomb; the vaulted hall, which mirth and jollity have set so often in an uproar; the rooms of state, and the presence-chamber: what are they now but void and tenantless ruins, clasped with ivy, open to wind and weather, and representing to the eye nothing but the ribs and carcase, as it were, of their former state? And see, said he, that proud gate-way, once the mansion of

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DIALOGUE III.

a surly porter[5], who, partaking of the pride of his lord, made the crowds wait, and refused admittance, perhaps, to nobles whom fear or interest drew to these walls, to pay their homage to their master: see it now the residence of a poor tenant, who turns the key but to let himself out to his daily labour, to admit him to a short meal, and secure his nightly slumbers. Yet, in this humble state, it hath had the fortune to outlive the glory of the rest, and

[5] The speaker's idea of Lord LEICESTER's porter agrees with the character he sustained on the queen's reception at *Kenelworth*; as we find it described in a paper of good authority written at that time. "Here a PORTER, tall of person, big of limbs, stark of countenance—with club and keys of quantity according; in a rough speech, full of passion in metre, while the queen came within his ward, burst out in a great pang of impatience to see such uncouth trudging to and fro, such riding in and out, with such din and noise of talk, within his charge; whereof he never saw the like, nor had any warning once, ne yet could make to himself any cause of the matter. At last, upon better view and advertisement, he proclaims open gates and free passage to all; yields over his club, his keys, his office and all, and on his knees humably prays pardon of his ignorance and impatience. Which her highness graciously granting, &c."—

A letter from an attendant in court to his friend a citizen and merchant of *London*. From the court, at *Worcester*, 20 *August* 1575.

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hath even drawn to itself the whole of that little note and credit which time hath continued to this once pompous building. For, while the castle itself is crumbled into shapeless ruins, and is prophaned, as we there see, by the vilest uses, this outwork of greatness is left entire, sheltered and closed in from bird and beast, and even affords some decent room in which the *human face divine* is not ashamed to shew itself." DIALOGUE III.

While Mr. ADDISON went on in this vein, his two friends stood looking on each other; as not conceiving what might be the cause of his expressing himself with a vehemence, so uncommon, and not suited to his natural temper. When the fit was over, I confess, said Dr. ARBUTHNOT, this is no bad topic for a moralist to declaim upon. And, though it be a trite one, we know how capable it is of being adorned by him who, on a late occasion, could meditate so finely on the TOMBS AT WESTMINSTER [h]. But surely, proceeded he, you warm yourself in this contemplation, beyond what the subject requires of you. The vanity of human greatness is seen in so many instances, that I wonder to hear you harangue on this with

[h] In the first volume of the SPECTATOR.

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so peculiar an exultation. There is no travelling ten miles together in any part of the kingdom without stumbling on some ruin, which, though perhaps not so considerable as this before us, would furnish occasion, however, for the same reflexions. There would be no end of moralizing over every broken tower, or shattered fabric, which calls to mind the short-lived glories of our ancestors.

True, said Mr. ADDISON; and, if the short continuance of these glories were the only circumstance, I might well have spared the exultation, you speak of, in this triumph over the shattered remnants of *Kenelworth*. But there is something else that fires me on the occasion. It brings to mind the fraud, the rapine, the insolence, of the potent minister, who vainly thought to immortalize his ill-gotten glory by this proud monument. Nay, further, it awakens an indignation against the prosperous tyranny of those wretched times, and creates a generous pleasure in reflecting on the happiness we enjoy under a juster and more equal government. Believe me, I never see the remains of that greatness which arose in the past ages on the ruins of public freedom and private property, but I congratulate with myself on living at a time, when the meanest subject is as free and

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independent as those royal minions; and when his property, whatever it be, is as secure from oppression, as that of the first minister. And I own this congratulation is not the less sincere for considering that the instance before us is taken from the reign of the virgin queen, which it hath been the fashion to cry up above that of any other of our princes [i]. I desire no other confutation of so strange unthankful a preference, than the sight of this vast castle, together with the recollection of those means by which its master arrived at his enormous greatness.

Your indignation then, replied Dr. ARBUTHNOT, is not so much of the moral, as *political* kind [k]. But is not the conclusion a little too

[i] The factious use, that was afterwards made of this humour of magnifying the character of ELIZABETH, may be seen in the *Craftsman* and *Remarks on the History of England.*

[k] What the *political* character of Mr. ADDISON was, may be seen from his *Whig-examiner*. This amiable man was keen and even caustic on subjects, where his party, that is, *civil liberty*, was concerned. Nor let it be any objection to the character I make him sustain in this Dialogue, that he treats ELIZABETH's government with respect in the *Freeholder*. He had then the people to cajole, who were taught to reverence her memory. He is, here, addressing himself, in private, to his friends.

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DIALOGUE III.

hasty, when, from the instance of one overgrown favourite, you infer the general infelicity of the time, in which he flourished? I am not, I assure you, one of those unthankful men who forget the blessings they enjoy under a prince of more justice and moderation than queen ELIZABETH, and under a better constitution of government than prevailed in the days of our forefathers. Yet, setting aside some particular dishonours of that reign (of which, let the tyranny of *Leicester*, if you will, be one), I see not but the acknowledged virtues of that princess, and the wisdom of her government, may be a proper foundation for all the honours that posterity have ever paid to her.

Were I even disposed to agree with you, returned Mr. ADDISON, I should not have the less reason for triumphing, as I do, on the present state of our government. For, if such abuses could creep in, and be suffered for so many years under so great a princess, what was there not to fear (as what, indeed, did not the subject actually feel) under some of her successors? But, to speak my mind frankly, I see no sufficient grounds for the excessive prejudice, that hath somehow taken place, in favour of the GOLDEN REIGN, as it is called, OF ELIZABETH. I find neither the wisdom, nor

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the virtue in it, that can entitle it to a preference before all other ages. DIALOGUE III.

On the contrary, said Dr. ARBUTHNOT, I never contemplate the monuments of that time, without a silent admiration of the virtues that adorned it. Heroes and sages crowd in upon my memory. Nay, the very people were of a character above what we are acquainted with in our days. I could almost fancy, the soil itself wore another face, and, as you poets imagine on some occasions, that our ancestors lived under a brighter sun and happier climate than we can boast of.

To be sure! said Mr. ADDISON, smiling: or, why not affirm, in the proper language of romance, that the women of those days were all chaste, and the men valiant? But cannot you suspect at least that there is some enchantment in the case, and that your love of antiquity may possibly operate in more instances than those of your favourite *Greeks* and *Romans*? Tell me honestly, pursued he, hath not this distance of a century and a half a little imposed upon you? Do not these broken towers, which moved you just now to so compassionate a lamentation over them, dispose you to a greater

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fondness for the times in which they arose, than can be fairly justified?

I will not deny, returned Dr. ARBUTHNOT, but we are often very generous to the past times, and unjust enough to the present. But I think there is little of this illusion in the case before us. And, since you call my attention to these noble ruins, let me own to you, that they do indeed excite in me a veneration for the times of which they present so striking a memorial. But surely not without reason. For there is scarce an object in view, that doth not revive the memory of some distinguishing character of that age, which may justify such veneration.

Alas! interrupted Mr. ADDISON, and what can these objects call to mind but the memory of barbarous manners and a despotic government?

For the *government*, replied Dr. ARBUTHNOT, I do not well conceive how any conclusion about that can be drawn from this fabric. The MANNERS I was thinking of; and I see them strongly expressed in many parts of it. But whether barbarous or not, I could almost take upon me to dispute with you. And why, in-

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deed, since you allowed yourself to declaim on the vices, so apparent, as you suppose, in this monument of antiquity, may not I have leave to consider it in another point of view, and present to you the virtues which, to my eye at least, are full as discernible?

You cannot, continued he, turn your eyes on any part of these ruins, without encountering some memorial of the virtue, industry, or ingenuity, of our ancestors.

Look there, said he, on that fine room (pointing to the HALL, that lay just beneath them); and tell me if you can help respecting the HOSPITALITY which so much distinguished the palaces of the great in those simpler ages. You gave an invidious turn to this circumstance when you chose to consider it only in the light of wasteful expence and prodigality. But no virtue is privileged from an ill name. And, on second thoughts, I persuade myself, it will appear you have injured this, by so uncandid an appellation. Can it deserve this censure, that the lord of this princely castle threw open his doors and spread his table for the reception of his friends, his followers, and even for the royal entertainment of his sovereign? Is any expence more proper than that which tends to

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conciliate[l] friendships, spread the interests of society, and knit mankind together by a generous communication in these advantages of wealth and fortune? The arts of a refined sequestered luxury were then unknown. The same bell, that called the great man to his table, invited the neighbourhood all around, and proclaimed a holiday to the whole country[m]. Who does not feel the decorum, and understand the benefits of this magnificence? The pre-eminence of rank and fortune was nobly sustained: the subordination of society preserved; and yet the envy, that is so apt to attend the great, happily avoided. Hence

[l] Lucian expresses this use of the Table prettily — ΦΙΛΙΑΣ ΜΕΣΙΤΗΝ ΤΡΑΠΕΖΑΝ, Ἔρωτες, c. 27.

[m] Besides this sort of hospitality, there was another still more noble and disinterested, which distinguished the early times, especially the purer ages of chivalry. It was customary, it seems, for the great lords to fix up HELMETS on the roofs and battlements of their castles as a signal of hospitality to all adventurers and noble passengers. "Adonques etoit une coustume en la Grant Bretagne (says the author of the old romance, called PERCEFOREST) et fut tant que charité regna illecque, tous gentils hommes et nobles dames faisoient mettre au plus hault de leur hostel ung heaulme, en SIGNE que tous gentils hommes et gentilles femmes trespassans les chemins, entrassent hardyement en leur hostel comme en leur propre; car leurs biens estoient davantage à tous nobles hommes et femmes trespassans le royaulme." Vol. iii. fol. 103.

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the weight and influence of the old nobility, who engaged the love, as well as commanded the veneration, of the people. In the mean time, rural industry flourished: private luxury was discouraged: and in both ways that frugal simplicity of life, our country's grace and ornament in those days, was preserved and promoted. DIALOGUE III.

It would spoil your panegyric, I doubt, said Mr. ADDISON, to observe the factious use, that was made of this magnificence, and the tendency it had to support the pride and insolence of the old nobility. The interest of the great, I am afraid, was but another name for the slavery of the people [n].

[n] This is not said without authority: "Give me leave, "says one, to hold this paradox, that the English were "never more idle, never more ignorant in manual arts, "never more factious in following the parties of princes "or their landlords, never more base (as I may say) tren-"cher slaves, than in that age, wherein great men kept "open houses for all comers and goers: and that in our "age, wherein we have better learned each man to live of "his own, and great men keep not such troops of idle "servants, not only the English are become very indus-"trious and skilful in manual arts, but also the tyranny "of lords and gentlemen is abated, whereby they nourished "private dissensions and civil wars, with the destruction "of the common people." FYNES MORYSON's *Itinerary*, Part III. Ch. v.

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DIALOGUE III.

I see it, Dr. ARBUTHNOT said, in a different light; and so did our princes themselves, who could not but be well acquainted with the proper effects of that interest. They considered the weight of the nobility, as a counterpoise to their own sovereignty. It was on this account they had used all means to lessen their influence. But the consequence was beside their expectation. The authority of the crown fell with it: and, which was still less expected by political men, the liberty of the people, after it had wantoned for a time, sunk under the general oppression. It was then discovered, but a little of the latest, that public freedom throve best, when it wound itself about the stock of the ancient nobility. In truth, it was the defect, not the excess, of patrician influence, that made way for the miseries of the next century.

You see then it is not without cause that I lay a stress, even in a political view, on this popular hospitality of the great in the former ages [o].

[o] Dr. ARBUTHNOT, too, has his authority. A famous politician of the last century expresseth himself to much the same purpose, after his manner: "Henceforth, says he, [that is, after the statutes against retainers in HEN. VII's reign] the country lives, and *great tables* of the no-

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But, lest you think I sit too long at the table, let us go on to the TILTYARD, which lies just before us; that school of fortitude and honour to our generous forefathers. A younger fancy, than mine, would be apt to kindle at the sight. And our sprightlier friend here, I dare say, has already taken fire at the remembrance of the gallant exercises, which were celebrated in that quarter.

Mr. DIGBY owned, he had a secret veneration for the manly games of that time, which he had seen so triumphantly set forth in the old poets and romancers.

Right, said Mr. ADDISON; it is precisely in that circumstance that the enchantment consists. Some of our best wits have taken a deal of idle pains to ennoble a very barbarous entertainment, and recommend it to us under the specious name of gallantry and honour. But Mr. DIGBY sees through the cheat. Not

bility, which no longer nourished veins that would bleed for them, were fruitless and loathsome till they changed the air, and of princes became *courtiers;* where their revenues, never to have been exhausted by beef and mutton, were found *narrow;* whence followed racking of rents, and, at length, sale of lands." SIR JAMES HARRINGTON'S OCEANA, p. 40. *Lond.* 1656.

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that I doubt, continued he, but the Doctor, now he is in the vein of panegyric, will lay a mighty stress on these barbarities; and perhaps compare them with the exercises in the *Roman* Circus, or the *Olympic* Barriers.

And why not? interrupted Dr. ARBUTHNOT. The tendency of all three was the same; to invigorate the faculties both of mind and body; to give strength, grace, and dexterity, to the limbs; and fire the mind with a generous emulation of the manly and martial virtues.

Why truly, said Mr. ADDISON, I shall not deny that all *three*, as you observe, were much of the same merit. And, now your hand is in for this sort of encomium, do not forget to celebrate the sublime taste of our forefathers for *bear-baiting* [p], as well as *tilting*; and tell us

[p] True it is, that this divertisement of *bear-baiting* was not altogether unknown in the age of ELIZABETH, and, as it seemeth, not much misliked of master STOW himself, who hath very graphically described it. He is speaking of the *Danish* embassador's reception and entertainment at *Greenwich* in 1586. "As the better sort, saith he, had their convenient disports, so were not the ordinary people excluded from competent pleasure. For, upon a green, very spacious and large, where thousands might stand and behold with good contentment, their BEAR-

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too, how gloriously the mob of those days, as well as their betters, used to belabour one another. DIALOGUE III.

I confess, said Dr. ARBUTHNOT, the softness of our manners makes it difficult to speak on this subject without incurring the ridicule, you appear so willing to employ against me. But you must not think to discredit these gymnastics by a little raillery, which has its foundation only in modern prejudices. For it is no

BAITING and bull-baiting (tempered with other merry disports) were exhibited; whereat it cannot be spoken of what pleasure the people took.

For it was a sport alone, of these beasts, continueth the historian, to see the bear with his pink-eyes leering after his enemies; the nimbleness and wait of the dog to take his advantage; and the force and experience of the bear again to avoid the assaults; if he were bitten in one place, how he would pinch in another to get free; and if he were once taken, then what shift with biting, clawing, roaring, tugging, grasping, tumbling, and tossing, he would work to wind himself away; and, when he was loose, to shake his ears with the blood and slaver about his phisnomy, was a pittance of good relief. The like pastime also of the bull.—And now the day being far spent, and the sun in his declination, the embassador withdrew to his lodging by barge to CROSBY's place; where, no doubt, THIS DAY'S SOLEMNITY WAS THOUGHT UPON AND TALKED OF."—p. 1562.

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DIALOGUE III. secret that the gravest and politest men of antiquity were of my mind. You will hardly suspect PLATO of incivility, either in his notions or manners. And need I remind you how much he insists on the gymnastic discipline; without which he could not have formed, or at least have supported, his Republic?

It was upon this principle, I suppose then, said Mr. DIGBY, or perhaps in imitation of his *Græcian* master, that our MILTON laid so great a stress on this discipline in his TRACTATE OF EDUCATION. And before him, in the very time you speak of, ASCHAM, I observe, took no small pains to much the same purpose in his TOXOPHILUS.

It is very clear, resumed Dr. ARBUTHNOT, from these instances, and many more that might be given, that the ancients were not singular in their notions on this subject. But, since you have drawn me into a grave defence of these exercises, let me further own to you that I think the *Gothic* Tilts and Tournaments exceeded, both in use and elegance, even the *Græcian* gymnastics [q]. They were a more direct image of war, than any of the games at

[q] See the *Anarcharsis* of LUCIAN.

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Olympia. And if *Xenophon* could be so lavish in his praises on the *Persian* practice of hunting, because it had some resemblance to the exercise of arms, what would he not have said of an institution, which has all the forms of a real combat?

But there was an elegance, too, in the conduct of the tournament, that might reconcile it even to modern delicacy. For, besides the splendor of the shew; the dexterity, with which these exercises were performed; and the fancy, that appeared in their accoutrement, dresses, and devices; the whole contest was ennobled with an air of gallantry, that must have had a great effect in refining the manners of the combatants. And yet this gallantry had no ill influence on morals; for, as you insulted me just now, it was the odd humour of those days for the women to pride themselves in their chastity [r], as well as the men in their valour.

[r] If the reader be complaisant enough to admit the fact, it may be accounted for, on the ideas of chivalry, in the following manner. The knight forfeited all pretensions to the favour of the ladies, if he failed, in any degree, in the point of valour. And, reciprocally, the claim which the ladies had to protection and courtesy from the order of knights, was founded singly in the repu-

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In short, I consider the *Tournay*, as the best school of civility as well as heroism. "High-erected thoughts, seated in a heart of courtesy," as an old writer[s] well expresses it, was the proper character of such as had been trained in this discipline.

No wonder then, pursued he, the poets and romance-writers took so much pains to immortalize these trials of manhood. It was but what PINDAR and HOMER himself, those ancient masters of romance, had done before them. And how could it be otherwise? The shew itself, as I said, had something very taking in it; whilst every graceful attitude of person, with every generous movement of the mind, afforded the finest materials for description.

tation of chastity, which was the female point of honour. "Ce droit que les dames avoient sur la chevalerie (says M. DE LA CURNE DE STE PALAYE) devoit être conditionel; il supposoit que leur conduite et leur reputation ne les rendoient point indignes de l'espece d'association qui les unissoit à cet ordre uniquement fondé sur l'honneur.

Par celle voye (says an old *French* writer, the chevalier DE LA TOUR, about the year 1371) les bonnes se craignoient et se tenoient plus fermes de faire chose dont elles peussent perdre leur honneur et leur etât. *Si vouldroye que celui temps fust revenu, car je pense qu'il n'en seroit pas tant de blasmées comme il est à present.*

[s] Sir PHILIP SYDNEY.

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And I am even ready to believe, that what we hear censured in their writings, as false, incredible, and fantastic, was frequently but a just copy of life, and that there was more of truth and reality[t] in their representations, than we are apt to imagine. Their notions of honour and gallantry were carried to an elevation[u], DIALOGUE III.

[t] What is hinted, here, of the *reality* of these representations, hath been lately shewn at large in a learned memoir on this subject, which the reader will find in the xx^th^ Tom. of HIST. DE L'ACAD. DES INSCRIPTIONS ET BELLES LETTRES.

[u] This representation of things in the ages of chivalry agrees with what we are told by the author of the memoir just quoted: "Les premières leçons," (says he, speaking of the manner in which the youth were educated in the houses of the Great, which were properly the schools of those times) "qu'on leur donnoit, regardoient principalement *l'amour de Dieu, et des dames*, c'est-à-dire, la religion, et la galanterie. Mais autant la dévotion qu'on leur inspiroit étoit accompagnée de puerilités et de superstitions, autant l'amour des dames, qu'on leur recommandoit, étoit il rempli de RAFFINEMENT et de FANATISME. Il semble qu'on ne pouvoit, dans ces siécles ignorans et grossiers, présenter aux hommes la religion sous une forme assez materielle pour la mettre à leur portée; ni leur donner, en même tems, une idée de l'amour assez pure, assez metaphysique, pour prevenir les desordres et les excès, dont etoit capable une nation qui conservoit par-tout le caractere impetueux qu'elle montroit à la guerre." Tom. xx. p. 600.

One sees then the origin of that furious gallantry which

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which, in these degenerate days, hurts the credit of their story; just as I have met with men that have doubted whether the virtues of the REGULI and the SCIPIOS of ancient fame were not the offspring of pure fancy.

runs through the old romances. And, so long as the *refinement and fanaticism*, which the writer speaks of, were kept in full vigour by the force of institution and the fashion of the times, the morals of these enamoured knights might, for any thing I know, be as pure as their apologist represents them. At the same time it must be confessed that this discipline was of a nature very likely to relax itself under another state of things, and certainly to be misconstrued by those who should come to look upon these pictures of a *refined and spiritual passion*, as incredible and fantastic. And hence, no doubt, we are to account for that censure which a famous writer, and one of the ornaments of ELIZABETH's own age, passeth on the old books of chivalry. His expression is downright, and somewhat coarse. "In our fathers time nothing was read but books of chivalry, wherein a man by reading should be led to none other end, but only to *manslaughter* and *baudrye*. If any man suppose they were good enough to pass the time withall, he is deceived. For surely vain words do work no small thing in vain, ignorant, and young minds, especially if they be given any thing thereunto of their own nature." He adds, like a good Protestant, "These books, as I have heard say, were made the most part in abbayes and monasteries; a very likely and fit fruit of such an idle and blind kind of living." *Præf.* to ASCHAM's TOXOPHILUS, 1571.

I thought it but just to set down this censure of Mr.

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Nay now, Dr. ARBUTHNOT, said Mr. ADDISON, you grow quite extravagant. What you, who are used to be so quick at espying all abuses in science, and defects in good taste, turn advocate for these fopperies! Mr. DIGBY and I shall begin to think you banter us, in this apology for the ancient gymnastics, and are only preparing a chapter for the facetious memoirs [w], you sometimes promise us.

Never more in earnest, I assure you, replied the Doctor. I know what you have to object to these pictures of life and manners. But, if they will not bear examining as copies, they may deserve to be imitated as models. And their use, methinks, might atone for some defects in the article of probability.

ASCHAM over-against the candid representation of the French memorialist.—However, what is said of the influence, which this ancient institution had on the character of his countrymen, is not to be disputed. "Les preceptes d'amour repandoient dans le commerce des dames ces considerations et ces egards respectueux, qui, n'ayant jamais été effacés de l'esprit des François, ont toujours fait un des caractères distinctifs de nôtre nation."

[w] Of SCRIBLERUS. See the VIth chapter of that learned work, *On the ancient Gymnastics.*

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DIALOGUE III.

For my part, I consider the legends of ancient chivalry in a very serious light,

> As *niches*, fill'd with statues to invite
> Young valours forth—[x]

as BEN JONSON, a valorous hardy poet, and who, himself, would have made a good knight-errant, justly says of them. For, it is certain, they had this effect. The youth, in general, were fired with the love of martial exercises. They were early formed to habits of fatigue and enterprise. And, together with this warlike spirit, the profession of chivalry was favourable to every other virtue. Affability, courtesy, generosity, veracity, these were the qualifications most pretended to by the men of arms, in the days of pure and uncorrupted chivalry. We do not perhaps, ourselves, know, at this distance of time, how much we are indebted to the force of this singular institution. But this I may presume to say, that the men, among whom it arose and flourished most, had prodigious obligations to it. No policy, even of an ancient legislator, could have contrived a better expedient to cultivate the manners and tame the spirits of a

[x] MASQUES, p. 181. WHALEY's edition.

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rude and ignorant people. I could almost fancy it providentially introduced among the northern nations, to break the fierceness of their natures, and prevent that brutal savageness and ferocity of character, which must otherwise have grown upon them in the darker ages.

Nay, the generous sentiments, it inspired, perhaps contributed very much to awaken an emulation of a different kind; and to bring on those days of light and knowledge which have disposed us, somewhat unthankfully, to vilify and defame it. This is certain, that the first essays of wit and poetry, those harbingers of returning day to every species of good letters, were made in the bosom of chivalry, and amidst the assemblies of noble dames, and courteous knights. And we may even observe, that the best of our modern princes, such as have been most admired for their personal virtues, and have been most concerned in restoring all the arts of civility and politeness, have been passionately addicted to the feats of ancient prowess. In the number of these, need I remind you of the courts of FRANCIS I, and HENRY IV, to say nothing of our own EDWARDS and HENRYS, and that mirrour of all their virtues in one,

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DIALOGUE III. our renowned and almost romantic ELIZABETH [y]?

But you think I push the argument too far. And less than this may dispose you to conceive with reverence of the scene before us, which

[y] This romantic spirit of the Queen may be seen as well in her *amours*, as military atchievements. "Ambiri, coli ob formam, et AMORIBUS, etiam inclinatâ jam ætate, videri voluit; de FABULOSIS INSULIS per illam relaxationem renovatâ quasi memoriâ in quibus EQUITES AC STRENUI HOMINES ERRABANT, et AMORES, fœditate omni prohibitâ, generosè per VIRTUTEM exercebant."

THUANI Hist. tom. vi. p. 172.

The observation of the great historian is confirmed by FRANCIS OSBORNE, Esq. who, speaking of a contrivance of the *Cecilian* party to ruin the earl of ESSEX, by giving him a rival in the good graces of the queen, observes — "But the whole result concluding in a duel, did rather inflame than abate the former account she made of him: the opinion of a CHAMPION being more splendid (in the weak and romantic sense of women, that admit of nothing fit to be made the object of a quarrel but themselves) and far above that of a captain or general. So as Sir EDMUND CARY, brother to the Lord HUNSDON, then chamberlain and near kinsman to the Queen, told me, that though she chid them both, nothing pleased her better than a conceit she had, that her *beauty* was the subject of this quarrel, when, God knows, it grew from the stock of honour, of which then they were very tender."—MEM. OF Q. ELIZABETH, p. 456.

But nothing shews the romantic disposition of the Queen, and indeed of her times, more evidently than the

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must ever be regarded as a nursery of brave men, a very seed-plot of warriors and heroes. I consider the successes at the barriers as preludes to future conquests in the field. And, as whimsical a figure as a young tilter may make in your eye, who will say that the virtue was not formed here, that triumphed at AXELL, and bled at ZUTPHEN?

We shall very readily, replied Mr. ADDISON, acknowledge the bravery and other virtues of the young hero, whose fortunes you hint at.

TRIUMPH, as it was called; devised and performed with great solemnity, in honour of the *French* commissioners in 1581. The contrivance was for four of her principal courtiers, under the quaint appellation of "four foster-children of DESIRE," to besiege and carry, by dint of arms, "THE FORTRESS OF BEAUTY;" intending, by this courtly ænigma, nothing less than the queen's majesty's own person.—The actors in this famous triumph were, the Earl of ARUNDEL, the Lord WINDSOR, Master PHILIP SIDNEY, and Master FULK GREVIL." And the whole was conducted so entirely in the spirit and language of knight errantry, that nothing in the Arcadia itself is more romantic. See the account at large in STOW's continuation of HOLINSHED's Chronicles, p. 1316—1321.

To see the drift and propriety of this triumph, it is to be observed that the business which brought the *French* commissioners into *England* was, the great affair of the queen's marriage with the duke of ALANÇON.

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DIALOGUE III. He was, in truth, to speak the language of that time, the very flower of knighthood, and contributed more than any body else, by his pen, as well as sword, to throw a lustre on the profession of chivalry. But the thing itself, however adorned by his wit and recommended by his manners, was barbarous; the offspring of *Gothic* fierceness; and shews the times, which favoured it so much, to have scarcely emerged from their original rudeness and brutality. You may celebrate, as loudly as you please, the deeds of these wonder-working knights. Alas, what affinity have such prodigies to our life and manners? The old poet, you quoted just now with approbation, shall tell us the difference:

These were bold stories of our *Arthur's* age:
But here are other acts, another stage
And scene appears; it is not since as then;
No giants, dwarfs, or monsters here, but MEN[z].

Or, if you want a higher authority, we should not, methinks, on such an occasion, forget the admirable CERVANTES, whose ridicule hath brought eternal dishonour on the profession of knight-errantry.

[z] Speeches at Prince HENRY's barriers.

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With your leave, interrupted Dr. ARBUTHNOT, I have reason to except against both your authorities. At best, they do but condemn the *abuses* of chivalry, and the madness of continuing the old romantic spirit in times when, from a change of manners and policy, it was no longer in season. Adventures, we will say, were of course to cease, when giants and monsters disappeared. And yet have they totally disappeared, and have giants and monsters been no where heard of out of the castles and forests of our old romancers? 'Tis odds, methinks, but, in the sense of ELIZABETH's good subjects, PHILIP II. might be a *giant* at least: and, without a little of this adventurous spirit, it may be a question whether all her enchanters, I mean her BURLEIGHS and WALSINGHAMS, would have proved a match for him. I mention this the rather to shew you, how little obligation his countrymen have to your CERVANTES for laughing away the remains of that prowess, which was the best support of the *Spanish* monarchy. DIALOGUE III.

As if, said Mr. ADDISON, the prowess of any people were only to be kept alive by their running mad. But let the case of the *Spaniards* be what it will, surely we, of this country, have little obligation to the spirit of chivalry, if

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DIALOGUE III. it were only that it produced, or encouraged at least, and hath now entailed upon us, the curse of duelling; which even yet domineers in the fashionable world, in spite of all that wit, and reason, and religion itself, have done to subdue it. 'Tis true, at present this law of arms is appealed to only in the case of some high point of nice and mysterious honour. But in the happier days you celebrate, it was called in aid, on common occasions. Even questions of right and property, you know, were determined at the barriers[a]: and brute force was allowed the most equitable, as well as shortest, way of deciding all disputes both concerning a man's estate and honour.

You might observe too, interposed Dr. ARBUTHNOT, that this was the way in which those fiercer disputes concerning a mistress, or a kingdom, were frequently decided. And, if this sort of decision, in such cases, were still

[a] There was an instance of this kind, and perhaps the latest upon record in our history, in the 13th year of the queen, when "a combat was appointed to have been fought for a certain manor, and demain lands belonging thereto, in *Kent*." The matter was compromised in the end. But not till after the usual forms had been observed, by the two parties: of which we have a curious and circumstantial detail in *Holinshed's* Chronicles, p. 1225.

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in use among Christian princes, you might call it perhaps a barbarous custom: but would it be ever the worse, do you think, for their good subjects? DIALOGUE III.

Perhaps it would not, returned Mr. ADDISON, in some instances. And yet will you affirm, that those *good subjects* were in any enviable situation, under their fighting masters? After all, allowing you to put the best construction you can on these usages of our forefathers,

"all we find
Is, that they did their work and din'd."

And though such feats may argue a sound athletic constitution, you must excuse me, if I am not forward to entertain any high notions of their civility.

Their civility, said Dr. ARBUTHNOT, is another consideration. The HALL and TILT-YARD are certainly good proofs of what they are alleged for, the hospitality and bravery of our ancestors. But it hath not been maintained, that these were their only virtues. On the contrary, it seems to me, that every flower of humanity, every elegance of art and genius,

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was cultivated amongst them. For an instance, need we look any further than the LAKE, which in the flourishing times of this castle was so famous, and which we even now trace in the winding bed of that fine meadow?

I do not understand you, replied Mr. ADDISON. I can easily imagine what an embellishment that lake must have been to the castle; but am at a loss to conceive what flowers of wit and ingenuity, to use your own ænigmatical language, could be raised or so much as watered by it.

And have you then, returned Dr. ARBUTHNOT, so soon forgotten the large description, you gave us just now, of the shows and pageants displayed on this lake? And can any thing better declare the art, invention, and ingenuity, of their conductors? Is not this canal as good a memorial of the ardour and success with which the finer exercises of the mind were pursued in that time, as the tilt-yard, we have now left, is of the address and dexterity shewn in those of the body?

I remember, said Mr. ADDISON, that many of the shows, intended for the queen's entertainment at this place, were exhibited on that

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canal. But as to any art or beauty of contrivance—

"You see none, I suppose."

Why truly none, resumed Mr. ADDISON. To me they seemed but well enough suited to the other barbarities of the time. "The Lady of the Lake and her train of Nereids," was not that the principal? And can it pass for any thing better than a jumble of *Gothic* romance and pagan fable? a barbarous modern conceit, varnished over with a little classical pedantry?

And is that the best word you can afford, said Dr. ARBUTHNOT, to these ingenious devices? The business was, to welcome the Queen to this palace, and at the same time to celebrate the honours of her government. And what more decent way of complimenting a great Prince, than through the veil of fiction? or what so elegant way of entertaining a learned Prince, as by working up that fiction out of the old poetical story? And if something of the *Gothic* romance adhered to these classical fictions, it was not for any barbarous pleasure, that was taken in this patchwork, but that the artist found means to incorporate them with the highest grace and ingenuity. For what,

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in other words, was the *Lady of the Lake* (the particular that gives most offence to your delicacy), but the presiding nymph of the stream, on which these shews were presented? And, if the contrivance was to give us this nymph under a name that romance had made familiar, what was this but taking advantage of a popular prejudice to introduce his fiction with more address and probability?

But see the propriety of the scene itself, for the designer's purpose, and the exact decorum with which these fanciful personages were brought in upon it. It was not enough, that the pagan deities were summoned to pay their homage to the queen. They were the deities of the fount and ocean, the watery nymphs and demi-gods: and these were to play their part in their own element. Could any preparation be more artful for the panegyric designed on the naval glory of that reign? Or, could any representation be more grateful to the queen of the ocean, as ELIZABETH was then called, than such as expressed her sovereignty in those regions? Hence the sea-green Nereids, the Tritons, and Neptune himself, were the proper actors in the drama. And the opportunity of this spacious lake gave the easiest introduction and most natural appearance to the

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whole scenery. Let me add too, in further commendation of the taste which was shewn in these agreeable fancies, that the attributes and dresses of the deities themselves were studied with care; and the most learned poets of the time employed to make them speak and act in character. So that an old *Greek* or *Roman* might have applauded the contrivance, and have almost fancied himself assisting at a religious ceremony in his own country.

And, to shew you that all this propriety was intended by the designer himself, and not imagined at pleasure by his encomiast; I remember, that when, some years after, the earl of HERTFORD had the honour to receive the queen at his seat in *Hampshire*, because he had no such canal as this in readiness on the occasion, he set on a vast number of hands to hollow a bason in his park for that purpose. With so great diligence and so exact a decorum were these entertainments conducted!

Did not I tell you, interposed Mr. ADDISON, addressing himself to Mr. DIGBY, to what an extravagance the Doctor's admiration of the ancient times would carry him? Could you have expected all this harangue on the art, elegance, and decorum of THE PRINCELY PLEASURES OF

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DIALOGUE III. KENELWORTH[b]? And must not it divert you to see the unformed genius of that age tricked out in the graces of *Roman* or even *Attic* politeness?

Mr. DIGBY acknowledged, it was very generous in the Doctor to represent in so fair a light the amusements of the ruder ages. But I was thinking, said he, to what cause it could possibly be owing, that these pagan fancies had acquired so general a consideration in the days of ELIZABETH.

The general passion for these fancies, returned Dr. ARBUTHNOT, was a natural consequence of the revival of learning. The first books, that came into vogue, were the poets. And nothing could be more amusing to rude minds, just opening to a taste of letters, than the fabulous story of the pagan gods, which is constantly interwoven in every piece of ancient poetry. Hence the imitative arts of *sculpture, painting*, and *poetry*, were immediately employed in these pagan exhibitions. But this was not all. The first artists in every kind

[b] Alluding to a tract, so called, by GASCOIGNE, an attendant on the court, and poet of that time, who hath given us a narrative of the entertainments that passed on this occasion at *Kenelworth*.

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were of *Italy*; and it was but natural for them to act these fables over again on the very spot that had first produced them. These too were the masters to the rest of *Europe*. So that *fashion* concurred with the other prejudices of the time, to recommend this practice to the learned.

From the men of art and literature the enthusiasm spead itself to the great; whose supreme delight it was to see the wonders of the old poetical story brought forth, and realized, as it were, before them[c]. And what, in truth,

[c] Hence then it is that a celebrated dramatic writer of those days represents the entertainment of MASKS and SHOWS, as the highest indulgence that could be provided for a luxurious and happy monarch. His words are these;

"Music and poetry are his delight.
Therefore I'll have *Italian* masques by night,
Sweet speeches, comedies, and pleasing shows;
And in the day, when he shall walk abroad,
Like SYLVAN NYMPHS, my pages shall be clad:
My men, like SATYRS, grazing on the lawns,
Shall with their goat-feet dance the antic hay:
Sometimes a lovely boy in DIAN'S shape,
With hair, that gilds the water as it glides,
Crownets of pearls about his naked arms,
And in his sportful hands an olive-tree,
Shall bathe him in a spring, and there hard-by
One like ACTÆON, peeping through the grove,

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DIALOGUE III.

could they do better? For, if I were not a little afraid of your raillery, I should desire to know what courtly amusements even of our time are comparable to the shows and masques, which were the delight and improvement of the court of ELIZABETH. I say, the *improvement*; for, besides that these shows were not in the number of the INERUDITÆ VOLUPTATES, so justly characterized and condemned by a wise ancient, they were even highly useful and instructive. These devices, composed out of the poetical history, were not only the vehicles of compliment to the great on certain solemn occasions, but of the soundest moral lessons, which were artfully thrown in, and recommended to them by the charm of poetry and numbers. Nay, some of these masques were moral dramas in form, where the virtues and vices were impersonated. We know the cast of their composition by what we see of these

Shall by the angry Goddess be transform'd—
Such things as these best please his Majesty."

MARLOW'S Edward II.

And how exactly this dramatist painted the humour of the times, we may see from the entertainment provided, not many years after, for the reception of King JAMES at *Althorp* in *Northamptonshire*; where this very design of *Sylvan Nymphs, Satyrs*, and ACTÆON, was executed in a masque by B. JONSON.

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fictions in the next reign; and have reason to conceive of them with reverence when we find the names of FLETCHER and JONSON [d] to some of them. I say nothing of JONES and LAWES, though all the elegance of their respective arts was called in to assist the poet in the contrivance and execution of these entertainments.

And, now the poets have fallen in my way, let me further observe, that the manifest superiority of this class of writers in ELIZABETH's reign, and that of her successor, over all others who have succeeded to them, is, among other reasons, to be ascribed to the taste which then prevailed for these moral representations. This taught them to animate and impersonate every thing. Rude minds, you will say, naturally give into this practice. Without doubt. But art and genius do not disdain to cultivate and improve it. Hence it is, that we find in the phraseology and mode of thinking of that time, and of that time only, the essence of the truest and sublimest poetry.

[d] Whom his friend Mr. SELDEN characterizeth in this manner,

"Omnia carmina doctus
Et calles mythoplasmata et historiam."

TIT. OF HON. p. 466.

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DIALOGUE III.

Without doubt, Mr. ADDISON said, the poetry of that time is of a better taste than could well have been expected from its barbarism in other instances. But such prodigies as SHAKESPEAR and SPENSER would do great things in any age, and under every disadvantage.

Most certainly they would, returned Dr. ARBUTHNOT, but not the things that you admire so much in these immortal writers. And, if you will excuse the intermixture of a little philosophy in these ramblings, I will attempt to account for it.

There is, I think, in the revolutions of taste and language, a certain point, which is more favourable to the purposes of poetry, than any other. It may be difficult to fix this point with exactness. But we shall hardly mistake in supposing it lies somewhere between the rude essays of uncorrected fancy, on the one hand, and the refinements of reason and science, on the other.

And such appears to have been the condition of our language in the age of ELIZABETH. It was pure, strong, and perspicuous, without affectation. At the same time, the high figurative manner, which fits a language so pecu-

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liarly for the uses of the poet, had not yet been controlled by the prosaic genius of philosophy and logic. Indeed, this character had been struck so deeply into the *English* tongue, that it was not to be removed by any ordinary improvements in either: the reason of which might be, the delight which was taken by the *English* very early in their old MYSTERIES and MORALITIES; and the continuance of the same spirit in succeeding times, by means of their MASQUES and TRIUMPHS. And something like this, I observe, attended the progress of the *Greek* and *Roman* poetry; which was the *truest* poetry, on the clown's maxim in SHAKESPEAR, because it was *the most feigning* [e]. It had its rise, you know, like ours, from religion: and pagan religion, of all others, was the properest to introduce and encourage a spirit of allegory and moral fiction. Hence we easily account for the allegoric cast of their old dramas, which have a great resemblance to our ancient moralities. NECESSITY is brought in as a *person of the drama*, in one of ÆSCHYLUS's plays; and

[e] *Sacrifices*, says PLUTARCH, *without chorusses and without music, we have known: but for poetry, without fable and without fiction, we know of no such thing.* Θυσίας μὲν ἀχόρους καὶ ἀναύλους ἴσμεν· ἐκ ἴσμεν δὲ ἄμυθον οὐδὲ ἀψευδῆ ποίησιν. De aud. poët. vol. i. p. 16.

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DIALOGUE III. DEATH in one of EURIPIDES: to say nothing of many shadowy persons in the comedies of ARISTOPHANES. The truth is, the pagan religion *deified* every thing, and delivered these deities into the hand of their painters, sculptors, and poets. In like manner, Christian superstition, or, if you will, modern barbarism, *impersonated* every thing; and these persons, in proper form, subsisted for some time on the stage, and almost to our days, in the masques. Hence the picturesque style of our old poetry; which looks so fanciful in SPENSER, and which SHAKESPEAR's genius hath carried to the utmost sublimity.

I will not deny, said Mr. ADDISON, but there may be something in this deduction of the causes, by which you account for the strength and grandeur of the *English* poetry, unpolished as it still was in the hands of ELIZABETH's great poets. But for the masques themselves—

You forget, I believe, *one*, interrupted Dr. ARBUTHNOT, which does your favourite poet, MILTON, almost as much honour, as his *Paradise Lost*.—But I have no mind to engage in a further vindication of these fancies. I only conclude that the taste of the age, the state of

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letters, the genius of the *English* tongue, was such as gave a manliness to their compositions of all sorts, and even an elegance to those of the lighter forms, which we might do well to emulate, and not deride, in this æra of politeness. DIALOGUE III.

But I am aware, as you say, I have been transported too far. My design was only to hint to you, in opposition to your invective against the memory of the old times, awakened in us by the sight of this castle, that what you object to is capable of a much fairer interpretation. You have a proof of it, in two or three instances; in their festivals, their exercises, and their poetical fictions: or, to express myself in the classical forms, you have seen by this view of their CONVIVIAL, GYMNASTIC, and MUSICAL character, that the times of ELIZABETH may pass for golden, notwithstanding what a fondness for this age of baser metal may incline us to represent it.

In the mean time, these smaller matters have drawn me aside from my main purpose. What surprised me most, pursued he, was to hear you speak so slightly, I would not call it by a worse name, of the GOVERNMENT of ELIZABETH. Of the manners and tastes of differ-

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ent ages, different persons, according to their views of things, will judge very differently. But plain facts speak so strongly in favour of the policy of that reign, and the superior talents of the sovereign, that I could not but take it for the wantonness of opposition in you to espouse the contrary opinion. And, now I am warmed by this slight skirmish, I am even bold enough to dare you to a defence of it; if, indeed, you were serious in advancing that strange paradox. At least, I could wish to hear upon what grounds you would justify so severe an attack on the reverend administration of that reign, supported by the wisdom of such men as CECIL and WALSINGHAM, under the direction of so accomplished a princess as our ELIZABETH. Your manner of defending even the wrong side of the question will, at least, be entertaining. And, I think, I may answer for our young friend, that his curiosity will lead him to join me in this request to you.

Mr. ADDISON said, He did not expect to be called to so severe an account for what had escaped him on this subject. But, though I was ever so willing, continued he, to oblige you, this is no time or place for entering on such a controversy. We have not yet compleated the round of these buildings. And I

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would fain, methinks, make the circuit of that pleasant meadow. Besides its having been once, in another form, the scene of those shows you described so largely to us, it will deserve to be visited for the sake of the many fine views which, as we wind along it, we may promise to ourselves of these ruins.

You forget my bad legs, said Dr. ARBUTHNOT smiling; otherwise, I suppose, we can neither of us have any dislike to your proposal. But, as you please: let us descend from these heights. We may resume the conversation, as we walk along: and especially, as you propose, when we get down into that valley.

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DIALOGUE IV.

ON THE

GOLDEN AGE OF QUEEN ELIZABETH;

BETWEEN

THE HON. ROBERT DIGBY,

DR. ARBUTHNOT,

AND

MR. ADDISON.

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DIALOGUE IV.

ON THE AGE OF QUEEN ELIZABETH.

MR. DIGBY, DR. ARBUTHNOT,

MR. ADDISON.

BUT do you consider, said Mr. ADDISON, as they descended into the valley, what an invidious task you are going to impose upon me? One cannot call in question a common opinion in any indifferent matter, without the appearance of some degree of perverseness. But to do it in a case of this importance, where the greatest authorities stand in the way, and the glory of one of our princes is concerned, will, I doubt, be liable to the imputation of something worse than singularity. For, besides that you will be apt to upbraid me, in the words of the poet,

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Nullum memorabile nomen
Fœmineâ in pœnâ est, nec habet victoria laudem,

such a liberty of censure is usually taken for an argument, not of discourtesy or presumption only, but of ill-nature. At best, the attempt to arraign the virtues and government of ELIZABETH will appear but like the idleness of the old sophists, who, you know, were never so well pleased as when they were controverting some acknowledged fact, or assaulting some established character.

That censure might be just enough, Dr. ARBUTHNOT said, of the old sophists, who had nothing in view but the credit of their own skill in the arts of disputation. But in this friendly debate, which means nothing more than private amusement, I see no colour for such apprehensions.

But what shall we say, interposed Mr. ADDISON, to another difficulty? The subject is very large; and it seems no easy matter to reduce it into any distinct order. Besides, my business is not so much to advance any thing of my own, as to object to what others have advanced concerning the fame and virtues of

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ELIZABETH. And to this end, I must desire to know the particulars on which you are disposed to lay the greatest stress, and indeed to have some plan of the subject delivered in to me, which may serve, as it were, for the groundwork of the whole conversation.

I must not presume, said Dr. ARBUTHNOT, to prescribe the order in which your attack on the great queen shall be conducted. The subject, indeed, is large. But this common route of history is well known to all of us. To that, then, you may well enough refer, without being at the trouble, before you go to work, of laying foundations. Or, if you will needs have a basis to build upon, what if I just run over the several circumstances which I conceive to make most for the credit of that reign? A sketch of this sort, I suppose, will answer all the ends of the plan, you seem to require of me.

Mr. ADDISON agreed to this proposal; which he thought would be of use to shorten the debate, or at least to render the progress of it more clear and intelligible.

In few words then, resumed Dr. ARBUTHNOT, the reasons, that have principally deter-

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DIALOGUE IV.

mined me to an admiration of the government and character of queen ELIZABETH, are such as these: "That she came to the crown with all possible disadvantages; which yet, by the prudence and vigour of her counsels, she entirely overcame: that she triumphed over the greatest foreign and domestic dangers: that she humbled the most formidable power in *Europe* by her arms; and composed, or checked at least, by the firmness of her administration, TWO, the most implacable and fiery factions at home: that she kept down the rebellious spirit of *Ireland*, and eluded the constant intrigues of her restless neighbours, the *Scots*: that she fixed our religious establishment on solid grounds; and countenanced, or rather conducted, the Protestant cause abroad: that she made her civil authority respected by her subjects; and raised the military glory of the nation, both by sea and land, to the greatest height: that she employed the ablest servants, and enacted the wisest laws: by all which means it came to pass that she lived in a constant good understanding with her parliaments, was idolized by her people, and admired and envied by all the rest of the world."

Alas, said Mr. ADDISON, I shall never be able to follow you through all the particulars

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of this encomium: and, to say the truth, it would be to little purpose; since the wisdom of her policy, in all these instances of her government, can only be estimated from a careful perusal of the histories of that time; too numerous and contradictory to be compared and adjusted in this conversation. All I can do, continued he, after taking a moment or two to recollect himself, is to abate the force of this panegyric by some general observations of the CIRCUMSTANCES and GENIUS of that time; and then to consider the personal QUALITIES of the queen, which are thought to reflect so great a lustre on her government. DIALOGUE IV.

As you please, Dr. ARBUTHNOT replied. We shall hardly lose ourselves in this beaten field of history. And, besides, as your undertaking is so adventurous, it is but reasonable you should have the choice of your own method.

You are in the common opinion, I perceive, resumed Mr. ADDISON, that ELIZABETH'S government was attended with all possible disadvantages. On the contrary, it appears to me that the security and even splendour of her reign is chiefly to be accounted for from the fortunate CIRCUMSTANCES of her situation.

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DIALOGUE IV.

Of these the FIRST, that demands our notice, is the great affair of religion.

The principles of PROTESTANTISM had now for many years been working among the people. They had grown to that head in the short reign of EDWARD VI. that the bloody severities of his successor served only to exasperate the zeal, with which these principles had been embraced and promoted. ELIZABETH, coming to the crown at this juncture, was determined, as well by interest as inclination, to take the side of the new religion. I say by *interest*, as well as inclination. And, I think, I have reason for the assertion. For though the persons in power, and the clergy throughout the kingdom, were generally professed papists; yet they were most of them such as had conformed in king EDWARD's days, and were not therefore much to be feared for any tie, their *profession* could really have on their consciences. Whereas, on the other hand, it was easy to see, from many symptoms, that the general bent of the nation was towards Protestantism; and that, too, followed with a spirit, which must in the end prevail over all opposition. Under these circumstances, then, it was natural for the queen, if she had not been otherwise

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led by her principles, and the interest of her title, to favour the Reformation. DIALOGUE IV.

The truth is, she came into it herself so heartily, and provided so effectually for its establishment, that we are not to wonder she became the idol of the Reformed, at the same time that the papal power through all *Europe* was confederated against her. The enthusiasm of her Protestant subjects was prodigious. It was raised by other considerations; but confirmed in all orders of the state by the ease they felt in their deliverance from the tyranny of the church; and in the great especially, by the sweets they tasted in their enjoyment of the church-revenues. It was, in short, one of those extraordinary conjunctures, in which the public danger becomes the public security; when religion and policy, conscience and interest, unite their powers to support the authority of the prince, and to give fidelity, vigour, and activity to the obedience of the subject.

And thus it was, continued he, that so warm and unconquerable a zeal appeared in defence of the queen against all attempts of her enemies. Her people were so thoroughly Protestant, as to think no expence of her government too great, provided they could but be secured

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from relapsing into Popery. And her parliaments were disposed to wave all disputes about the stretch of her prerogative, from a sense of their own and the common danger.

In magnifying this advantage of the zeal and union of ELIZABETH's good subjects, you forgot, said Dr. ARBUTHNOT, that two restless and inveterate factions were contending, all her lifetime, within her own kingdom.

I am so far from forgetting that circumstance, returned Mr. ADDISON, that I esteem it ANOTHER of the great advantages of her situation.

The contrary tendencies of those factions in some respects defeated each other. But the principal use of them was, that, by means of their practices, some domestic plot, or foreign alarm, was always at hand, to quicken the zeal and inflame the loyalty of her people. But to be a little more particular about the factions of her reign.

The PAPIST was, in truth, the only one she had reason to be alarmed at. The PURITAN had but just begun to shew himself, though indeed with that ferocity of air and feature, which signified clearly enough what spirit he

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was of, and what, in good time, he was likely to come to. Yet even he was kept in tolerable humour, by a certain commodious policy of the queen; which was, so to divide her regards betwixt the Church and the Puritans, as made it the interest of both to keep well with her. 'Tis true, these last felt the weight of her resentment sometimes, when they ventured too saucily to oppose themselves to the establishment. But this was rarely, and by halves: and, when checked with the most rigour, they had the satisfaction to see their patrons continue in the highest places at court, and, what is more, in the highest degree of personal favour.

And what doth all this shew, interrupted Dr. ARBUTHNOT, but that she managed so well as to disarm a furious faction, or rather make it serve against the bent of its nature, to the wise ends of her government?

As to any wise ends of government, I see none, replied Mr. ADDISON, deserving to be so called, that were answered by her uncertain conduct towards the Puritans. For she neither restrained them with that severity, which might perhaps have prevented their growth, at first; nor shewed them that entire indulgence, which

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might have disabled their fury afterwards. It is true, this temporizing conduct was well enough adapted to prevent disturbances in her own time. But large materials were laid in for that terrible combustion, which was soon to break forth under one of her successors.

And so, instead of imputing the disasters that followed, said Dr. ARBUTHNOT, to the ill-government of the STUARTS, you are willing to lay the whole guilt of them on this last and greatest of the TUDORS. This is a new way of defending that royal house; and, methinks, they owe you no small acknowledgments for it. I confess, it never occurred to me to make that apology for them.

Though I would not undertake, said Mr. ADDISON, to make their apology from this, or any other, circumstance; I do indeed believe that part of the difficulties the house of STUART had to encounter, were brought upon them by this wretched policy of their predecessor. But, waving this consideration, I desire you will take notice of what I chiefly insist upon, "That the ease and security of ELIZABETH's administration was even favoured by the turbulent practices and clashing views of her domestic factions." The PURITAN was an instru-

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ment, in her hands, of controuling the church, and of balancing the power of her ministers: besides that this sort of people were, of all others, the most inveterate against the common enemy. And for the PAPISTS themselves (not to insist that, of course, they would be strictly watched, and that they were not, perhaps, so considerable as to create any immediate danger [a]), the general abhorrence both of their principles and designs had the greatest effect in uniting more closely, and cementing, as it were, the affections of the rest of her subjects. So that, whether within or without, the common danger, as I expressed it, was the common safety.

Still, said Dr. ARBUTHNOT, I must think this a very extraordinary conclusion. I have no idea of the security of the great queen, surrounded, as she was, by her domestic and foreign enemies.

a This will be admitted, if a calculation said to have been made by themselves of their number at that time may be relied on—"They make reasoning (saith Sir EDWIN SANDYS in his *Speculum Europæ*, written in 1699) forty hundred sure catholics in *England*, with four hundred *English Roman* priests to maintain that militia," p. 157.

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Her foreign enemies, returned Mr. ADDISON, were less formidable than they appear at first view. And I even make the condition of the neighbouring powers on the Continent, in her time, a THIRD instance of the signal advantages of her situation.

It is true, if a perfect union had subsisted between the Catholic princes, the papal thunders would have carried terror with them. But, as it was, they were powerless and ineffectual. The civil wars of *France*, and its constant jealousy of *Spain*, left the queen but little to apprehend from that quarter. The *Spanish* empire, indeed, was vast, and under the direction of a bigoted vindictive prince. But the administration was odious and corrupt in every part. So that wise men saw there was more of bulk than of force in that unwieldy monarchy. And the successful struggles of a handful of its subjects, inflamed by the love of liberty, and made furious by oppression, proclaimed its weakness to all the world.

It may be true, interrupted Dr. ARBUTHNOT, that the queen had less to fear from the princes on the Continent, than is sometimes represented. But you forget, in this survey of the public dangers, the distractions of IRELAND,

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and the restless intrigues of her near neighbours, the SCOTS: both of them assisted by *Spain*; and these last under the peculiar influence and direction of the GUISES. DIALOGUE IV.

You shall have my opinion, returned Mr. ADDISON, in few words.

For the IRISH distractions, it was not the queen's intention, or certainly it was not her fortune, to compose them: I mean, during the greatest part of her reign; for we are now speaking of the general tenor of her policy. Towards the close of it, indeed, she made some vigorous attempts to break the spirits of those savages. And it was high time she should. For, through her faint proceedings againt them, they had grown to that insolence, as to think of setting up for an independency on *England*. Nay, the presumption of that arch-rebel TYRONE, countenanced and abetted by *Spain*, seemed to threaten the queen with still further mischiefs. The extreme dishonour and even peril of this situation roused her old age, at length, to the resolution of taking some effectual measures. The preparation was great, and suitable to the undertaking. It must, further, be owned, it succeeded: but so late, that she herself did not live to see the full effect of it.

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DIALOGUE IV.

However, this success is reckoned among the glories of her reign. In the mean time, it is not considered that nothing but her ill policy, in suffering the disorders of that country to gather to a head, made way for this glory. I call it her *ill policy*, for unless it were rather owing to her excessive frugality[b] one can hardly help thinking she designed to perpetuate the *Irish* distractions. At least, it was agreeable to a favourite maxim of hers, to check, and not to suppress them. And I think it clear, from the manner of prosecuting the war, that, till this last alarm, she never was in earnest about putting an end to it.

[b] Mr. CAMDEN owns that the *Irish* rebellion, which in the end became so dangerous, had been "encouraged by a slighting of it, and a gripple-handedness of *England*." [*Hist. of* ELIZ. B. iv.]—To the same purpose another eminent writer of that time—"Before the transmitting of the last great army, the forces sent over by Q. ELIZABETH were NOT of sufficient power to break and subdue all the *Irishry*." At last, however, "The extreme peril of losing the kingdom; the dishonour and danger that might thereby grow to the crown of *England*; together with a just disdain conceived by that great-minded queen, that so wicked and ungrateful a rebel should prevail against her, who had ever been victorious against all her enemies; did move and almost ENFORCE her to send over that mighty army." [Sir J. DAVIES, *Discovery of the State of Ireland*, p. 97. *Lond.* 1613.]

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SCOTLAND, indeed, demanded a more serious attention. Yet the weak distracted counsels of that court—a minor king—a captive queen—and the unsettled state of *France* itself, which defeated in a good degree the malice of the GUISES—were favourable circumstances.

But to be fair with you (for I would appear in the light of a reasonable objector, not a captious wrangler); I allow her policy in this instance to have been considerable. She kept a watchful eye on the side of *Scotland*. And, though many circumstances concurred to favour her designs, it must be owned they were not carried without much care and some wisdom.

I understand the value of this concession, replied Dr. ARBUTHNOT. It must have been no common degree of both, that extorted it from you.

I decline entering further, said Mr. ADDISON, into the public transactions of that reign; if it were only that, at this distance of time, it may be no easy matter to determine any thing of the policy, with which they were conducted. Only give me leave to add, as a FOURTH instance of the favourable circumstances of the

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time, "That the prerogative was then in its height, and that a patient people allowed the queen to use it on all occasions." Hence the apparent vigour and firmness of her administration: and hence the opportunity (which is so rarely found in our country) of directing the whole strength of the nation to any end of government, which the glory of the prince or the public interest required.

What you impute to the high strain of prerogative, returned Dr. ARBUTHNOT, might rather be accounted for from the ability of her government, and the wise means she took to support it. The principal of these was, by employing the GREATEST MEN in the several departments of her administration. Every kind of merit was encouraged by her smile[c], or rewarded by her bounty. Virtue, she knew,

[c] Sir ROBERT NAUNTON tells us, "The queen was never profuse in delivering out of her treasure; but paid her servants part in money, and the rest with GRACE; which, as the case stood, was then taken for good payment." [FRAGM. REG. p. 89.] And NAT. BACON to the same purpose. "A wise man, that was an eye-witness of HER actions, and those that succeeded to her, many times hath said, That a courtier might make a better meal of one good LOOK from her, than of a gift from some other." [DISC. P. ii. p. 266. *Lond.* 1651.]

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would thrive best on its native stock, a generous emulation. This she promoted by all means; by her royal countenance, by a temperate and judicious praise, by the wisest distribution of her preferments. Hence would naturally arise that confidence in the queen's counsels and undertakings, which the servile awe of her prerogative could never have occasioned.

This is the true account of the loyalty, obedience, and fidelity, by which her servants were distinguished. And thus, in fact, it was that, throughout her kingdom, there was every where that reverence of authority[d], that sense of honour, that conscience of duty, in a word, that gracious simplicity of manners, which renders the age of ELIZABETH truly GOLDEN:

[d] This *reverence of authority*, one of the characteristics of that time, and which Mr. ADDISON presently accounts for, a great writer celebrates in these words—"It was an ingenuous uninquisitive time, when all the passions and affections of the people were lapped up in such an innocent and humble obedience, that there was never the least contestation nor capitulation with the queen, nor (though she very frequently consulted with her subjects) *any further reasons urged of her actions than* HER OWN WILL." See a tract intitled THE DISPARITY, in Sir H. WOTTON's Remains, p. 46, supposed to have been written by the earl of CLARENDON.

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as presenting the fairest picture of humanity, that is to be met with in the accounts of any people.

It is true, as you say, interposed Mr. ADDISON, that *this picture is a fair one.* But of what is it a copy? Of the GENIUS of the time, or of the queen's virtues? You shall judge for yourself, after I have laid before you TWO remarkable events of that age, which could not but have the greatest effect on the public manners; I mean, THE REFORMATION OF RELIGION, and what was introductory of it, THE RESTORATION OF LETTERS. From these, as their proper sources, I would derive the ability and fidelity of ELIZABETH's good subjects.

The passion for LETTERS was extreme. The novelty of these studies, the artifices that had been used to keep men from them, their apparent uses, and, perhaps, some confused notion of a certain diviner virtue than really belongs to them; these causes concurred to excite a curiosity in all, and determined those, who had leisure, as well as curiosity, to make themselves acquainted with the *Greek* and *Roman* learning. The ecclesiastics, who, for obvious reasons, would be the first and most earnest in

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their application to letters, were not the only persons transported with this zeal. The gentry and nobility themselves were seized with it. A competent knowledge of the old writers was looked upon as essential to a gentleman's education. So that *Greek* and *Latin* became as fashionable at court in those days, as *French* is in ours. ELIZABETH herself, which I wonder you did not put me in mind of, was well skilled in both[e]; they say, employed her leisure in making some fine translations out of

[e] PAULUS HENTZNERUS, a learned *German*, who was in *England* in 1598, goes still further in his encomium on the queen's skill in languages. He tells us, that, "præterquam quòd Græcè et Latinè eleganter est docta, tenet, ultra jam memorata idiomata, etiam Hispanicum, Scoticum, et Belgicum." See his ITINERARIUM.

But this was the general character of the great in that reign: at least, if we may credit Master WILLIAM HARRISON, who discourseth on the subject before us in the following manner: "This further is not to be omitted, to the singular commendation of both sorts and sexes of our courtiers here in *England*, that there are very few of them, which have not the use and skill of sundry speeches, beside an excellent vein of writing, before time not regarded. Truly it is a rare thing with us now, to hear of a courtier which hath but his own language. And to say how many gentlewomen and ladies there are, that, beside sound knowledge of the *Greek* and *Latin* tongues, are thereto no less skilful in the *Spanish*, *Italian*, and *French*, or in some one of them, it resteth not in me; sith I am

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either language. It is easy to see what effect this general attention to letters must have on the minds of the liberal and well-educated. And it was a happiness peculiar to that age, that learning, though cultivated with such zeal, had not as yet degenerated into pedantry: I mean, that, in those stirring and active times, it was cultivated, not so much for show, as use; and was not followed, as it soon came to be, to the exclusion of other generous and manly applications.

Consider, too, the effects, which the alterations in RELIGION had produced. As they had been lately made, as their importance was great, and as the benefits of the change had been earned at the expence of much blood and labour: all these considerations begot a zeal for religion, which hardly ever appears under other circumstances. This zeal had an immediate and very sensible effect on the morals of the Reformed. It improved them in every instance; especially as it produced a cheerful

persuaded, that as the noblemen and gentlemen do surmount in this behalf, so these come very little or nothing behind them for their parts; which industry God continue, and accomplish that which otherwise is wanting." DESCRIPT. of ENGLAND, p. 196.

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submission to the government, which had rescued them from their former slavery, and was still their only support against the returning dangers of superstition. Thus religion, acting with all its power, and that, too, heightened by gratitude and even self-interest, bound obedience on the minds of men with the strongest ties[f]. And luckily for the queen,

[f] One of these *ties* was the *prejudice of education;* and some uncommon methods were used to bind it fast on the minds of the people.—A book, called EIPHNAPXIA, sive ELIZABETH, was written in *Latin* verse by one OCKLAND, containing the highest panegyrics on the queen's character and government, and setting forth the transcendant virtues of her ministers. This book was enjoined by authority to be taught, as a classic author, in Grammar-schools, and was of course to be gotten by heart by the young scholars throughout the kingdom.

This was a matchless contrivance to imprint a sense of loyalty on the minds of the people. And, though it flowed, as we are to suppose, from a tender regard, in the advisers of it, for the interests of Protestantism in that reign; yet its uses are so apparent in any reign, and under any administration, that nothing but the moderation of her successors, and the reasonable assurance of their ministers that their own acknowledged virtues were a sufficient support to them, could have hindered the expedient from being followed.

But, though the stamp of public authority was wanting, private men have attempted, in several ways, to supply this defect. To instance only in one. The Protestant queen was to pass for a mirror of *good government:* hence

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this obedience was further secured to her by the high uncontroverted notions of royalty, which, at that time, obtained amongst the people.

Lay all this together; and then tell me where is the wonder that a people, now emerging out of ignorance; uncorrupted by wealth, and therefore undebauched by luxury; trained to obedience, and nurtured in simplicity; but, above all, caught with the love of learning and religion, while neither of them was worn for fashion-sake, or, what is worse, perverted to the ends of vanity or ambition; where, I say, is the wonder that such a people should present so bright a picture of manners to their admiring panegyrist?

the Εἰρηνάρχια. Her successor would needs be thought a mirror of *eloquence:* and hence the noble enterprise I am about to celebrate. "Mr. GEORGE HERBERT (I give it in the grave historian's own words) being prelector in the rhetorique school in *Cambridge,* in 1618, passed by those fluent orators, that domineered in the pulpits of *Athens* and *Rome,* and insisted to read upon an oration of K. JAMES, which he analysed; shewed the concinnity of the parts; the propriety of the phrase; the height and power of it to move the affections; the style, UTTERLY UNKNOWN TO THE ANCIENTS, who could not conceive what kingly eloquence was, in respect of which those noted demigogi were but hirelings and tribolary rhetoricians." Bishop HACKET's Life of Archbishop WILLIAMS, p. 175.

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To be fair with you; it was one of those conjunctures, in which the active virtues are called forth, and rewarded. The dangers of the time had roused the spirit, and brought out all the force and genius, of the nation. A sort of enthusiasm had fired every man with the ambition of exerting the full strength of his faculties, which way soever they pointed, whether to the field, the closet, or the cabinet. Hence such a crop of soldiers, scholars, and statesmen had sprung up, as have rarely been seen to flourish together in any country. And as all owed their duty, it was the fashion of the times for all to bring their pretensions, to the court. So that, where the multitude of candidates was so great, it had been strange indeed, if an ordinary discretion had not furnished the queen with able servants of all sorts; and the rather, as her occasions loudly called upon her to employ the ablest.

I was waiting, said Dr. ARBUTHNOT, to see to what conclusion this career of your eloquence would at length drive you. And it hath happened in this case, as in most others where a favourite point is to be carried, that a zeal for it is indulged, though at the expence of some other of more importance. Rather than admit the personal virtues of the queen, you fill her

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court, nay, her kingdom, with heroes and sages: and so have paid a higher compliment to her reign, than I had intended.

To her *reign*, if you will, replied Mr. ADDISON, so far as regards the qualities and dispositions of her subjects: for I will not lessen the merit of this concession with you, by insisting, as I might, that their *manners*, respectable as they were, were debased by the contrary, yet very consistent, vices of servility and insolence[g]; and their virtues of every kind deformed by barbarism. But, for the queen's own merit in the choice of her servants, I must take leave to declare my sentiments to you very plainly. It may be true, that she possessed a good degree of sagacity in discerning the natures and talents

[g] A learned foreigner gives this character of the *English* at that time: "Angli, ut ADDICTE SERVIUNT, ità evecti ad dignitates priorem humilitatem INSOLENTIA rependunt." H. GROTII ANN. L. v. p. 95. *Amst.* 1657. Hence the propriety of those complaints, in our great poet, of,

"The whips and scorns of th' time,
Th' oppressor's wrong, the proud man's contumely,
THE INSOLENCE OF OFFICE;"—

complaints so frequent, and so forcibly expressed by him, that we may believe he painted from his own observation, and perhaps experience, of this insolent misuse of authority. MEASURE FOR MEASURE, A. II. S. vii.

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of men. It was the virtue by which, her admirers tell us, she was principally distinguished. Yet, that the high fame of this virtue hath been owing to the felicity of the times, abounding in all sorts of merit, rather than to her own judgment, I think clear from this circumstance, "That some of the most deserving of those days, in their several professions, had not the fortune to attract the queen's grace, in the proportion they might have expected." I say nothing of poor SPENSER. Who has any concern for a poet[h]? But if merit alone had determined her majesty's choice, it will hardly at this day admit a dispute, that the immortal HOOKER and BACON[i], at least, had ranked

[h] Yet it may seem probable, from this poet's conduct in *Ireland*, and his *View of the state of that country*, that his talents for *business* (such as CECIL himself must have approved) were no less considerable than for poetry. But he had served a disgraced man; and had drawn upon himself the admiration of the generous earl of *Essex*. So that, as the historian expresseth it, "by a fate which still follows poets, he always wrestled with poverty, though he had been secretary to the lord GRAY, lord deputy of *Ireland*." All that remained for him was, "to be interred at *Westminster*, near to CHAUCER, at the charge of the earl of *Essex*; his hearse being attended by poets, and mournful elegies and poems, with the pens that wrote them, thrown into his grave." CAMDEN, lib. iv.

[i] As to Sir FRANCIS BACON, the queen herself gave a very plausible reason, and doubtless much approved by the

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in another class than that, in which this great discerner of spirits thought fit to leave them.

And her character, continued he, in every other respect is just as equivocal. For having touched one part of it, I now turn from these general considerations on the circumstances

grave lawyers and other judicious persons of that time, for her neglect of this gentleman. "She did acknowledge (says the earl of *Essex* in a letter to Mr. FRANCIS BACON) you had a great wit, and an excellent gift of speech, and much other good learning. But in LAW, she rather thought you could make shew, to the utmost of your knowledge, than that you were deep." MEM. OF Q. ELIZABETH by Dr. BIRCH; to whom the public is exceedingly indebted for abundance of curious information concerning the history of those times.

If it be asked, how the queen came to form this conclusion, the answer is plain. It was from Mr. BACON's having a GREAT WIT, an excellent GIFT OF SPEECH, and much other GOOD LEARNING.

It is true, Sir FRANCIS BACON himself gives another account of this matter. In a letter of advice to Sir GEORGE VILLIERS, he says, "In this dedication of yourself to the public, I recommend unto you principally that which I think was never done since I was born—that you countenance and encourage and advance ABLE MEN, in all kinds, degrees, and professions. For in the time of the CECILS, father and son, ABLE MEN WERE BY DESIGN AND OF PURPOSE SUPPRESSED. CABALA, p. 57. ed. 1691.—But either way, indeed, the queen's character is equally saved.

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and genius of the time, to our more immediate subject, the PERSONAL QUALITIES of ELIZABETH. Hitherto we have stood aloof from the queen's person. But there is no proceeding a step further in this debate, unless you allow me a little more liberty. May I then be permitted to draw the veil of ELIZABETH's court, and, by the lights which history holds out to us, contemplate the mysteries, that were celebrated in that awful sanctuary?

After so reverend a preface, replied Dr. ARBUTHNOT, I think you may be indulged in this liberty. And the rather, as I am not apprehensive that the honour of the illustrious queen is likely to suffer by it. The secrets of her cabinet-council, it may be, are not to be scanned by the profane. But it will be no presumption to step into the drawing-room.

Yet I may be tempted, said Mr. ADDISON, to use a freedom in this survey of her majesty, that would not have been granted to her most favoured courtiers. As far as I can judge of her character, as displayed in that solemn scene of her court, she had some apparent VIRTUES, but more genuine VICES; which yet, in the public eye, had equally the fortune to reflect a lustre on her government.

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Her gracious affability, her love of her people, her zeal for the national glory; were not these her more obvious and specious qualities? Yet I doubt they were not so much the proper effects of her nature, as her policy; a set of spurious virtues, begotten by the very necessity of her affairs.

For her AFFABILITY, she saw there was no way of being secure amidst the dangers of all sorts, with which she was surrounded, but by ingratiating herself with the body of the people. And, though in her nature she was as little inclined to this condescension as any of her successors, yet the expediency of this measure compelled her to save appearances. And it must be owned, she did it with grace, and even acted her part with spirit. Possibly the consideration of her being a female actor, was no disadvantage to her.

But, when she had made this sacrifice to interest, her proper temper shewed itself clearly enough in the treatment of her nobles, and of all that came within the verge of the court. Her caprice, and jealousy, and haughtiness, appeared in a thousand instances. She took offence so easily, and forgave so difficultly, that even her principal ministers could hardly

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keep their ground, and were often obliged to redeem her favour by the lowest submissions. When nothing else would do, they sickened, and were even at death's door: from which peril, however, she would sometimes relieve them; but not till she had exacted from them, in the way of penance, a course of the most mortifying humiliations. Nay, the very ladies of her court had no way to maintain their credit with her, but by submitting patiently to the last indignities.

It is allowed, from the instances you have in view, returned Dr. ARBUTHNOT, that her nature was something high and imperious. But these sallies of passion might well enough consist with her general character of affability.

Hardly, as I conceive, answered Mr. ADDISON, if you reflect that these sallies, or rather habits of passion, were the daily terror and vexation of all about her. Her very minions seemed raised for no other purpose, than the exercise of her ill-humour. They were encouraged, by her smile, to presume on the royal countenance, and then beaten down again in punishment of that presumption. But, to say the truth, the slavish temper of the time was favourable to such exertions of

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female caprice and tyranny. Her imperious father, all whose virtues she inherited, had taught her a sure way to quell the spirit of her nobles. They had been long used to stand in awe of the royal frown. And the people were pleased to find their betters ruled with so high a hand, at a time when they themselves were addressed with every expression of respect, and even flattery.

She even carried this mockery so far, that, as HARRINGTON observes well, "she converted her reign, through the perpetual love-tricks that passed between her and her people, into a kind of romance." And though that political projector, in prosecution of his favourite notion, supposes the queen to have been determined to these intrigues by observing, that the weight of property was fallen into the popular scale; yet we need look no further for an account of this proceeding, than the inherent haughtiness of her temper. She gratified the insolence of her nature, in neglecting, or rather beating down, her nobility, whose greatness might seem to challenge respect: while the court, she paid to the people, revolted her pride less, as passing only upon herself, as well as others, for a voluntary act of affability. Just as we every day see very proud men carry

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it with much loftiness towards their equals, or those who are raised to some nearness of degree to themselves; at the same time that they affect a sort of courtesy to such, as are confessedly beneath them.

You see, then, what her boasted affability comes to. She gave good words to her people, whom it concerned her to be well with, and whom her pride itself allowed her to *manage*: she insulted her nobles, whom she had in her power, and whose abasement flattered the idea, she doted upon, of her own superiority and importance [k].

Let the queen's manner of treating her subjects be what it would, Dr. ARBUTHNOT said, it appears to have given no offence in those

[k] The lord MOUNTJOY [then Sir CHARLES BLOUNT], being of a military turn, had stolen over into *France*, without the queen's knowledge, in order to serve in *Bretagne*, under one of her generals. Upon his return, which was hastened too by her express command, "Serve me so again, said the queen, once more, and I will lay you fast enough for running. You will never leave, till you are knocked o' the head, as that inconsiderate fellow SIDNEY was. You shall go when I send you. In the mean time see that you lodge in the court, where you may FOLLOW YOUR BOOKS, READ, AND DISCOURSE OF THE WARS." Sir ROBERT NAUNTON'S FR. REG. in L. BURLEIGH.

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days, when the sincerity of her intentions was never questioned. Her whole life is a convincing argument, that she bore the most entire affection to her people.

HER LOVE OF HER PEOPLE, returned Mr. ADDISON hastily, is with me a very questionable virtue. For what account shall we give of the multitude of penal statutes, passed in her reign? Or, because you will say, there was some colour for these; what excuse shall we make for her frequent grants of monopolies, so ruinous to the public wealth and happiness, and so perpetually complained of by her parliaments? You will say, she recalled them. She did so. But not till the general indignation had, in a manner, forced her to recall them. If by her *people*, be meant those of the poorer and baser sort only, it may be allowed, she seemed on all occasions willing to spare them. But for those of better rank and fortune, she had no such consideration. On the other hand, she contrived in many ways to pillage and distress them. It was the tameness of that time, to submit to every imposition of the sovereign. She had only to command her gentry on any service she thought fit, and they durst not decline it. How many of her wealthiest and best subjects did she impoverish

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by these means (though under colour, you may be sure, of her high favour); and sometimes by her very visits! I will not be certain, added he, that her visit to this pompous castle of her own LEICESTER, had any other intention.

But what, above all, are we to think of her vow of celibacy, and her obstinate refusal to settle the succession, though at the constant hazard of the public peace and safety?

You are hard put to it, I perceive, interrupted Dr. ARBUTHNOT, to impeach the character of the queen in this instance, when a few penal laws, necessary to the support of her crown in that time of danger; one wrong measure of her government, and that corrected; the ordinary use of her prerogative; and even her virginity; are made crimes of. But I am curious to hear what you have to object to her ZEAL FOR THE ENGLISH GLORY, carried so high in her reign; and the single point, as it seems to me, to which all her measures and all her counsels were directed.

The *English* glory, Mr. ADDISON said, may, perhaps, mean the state and independency of the crown. And then, indeed, I have little to object. But, in any other sense of the word,

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I have sometimes presumed to question with myself, if it had not been better consulted, by a more effectual assistance of the Reformed on the Continent; by a more vigorous prosecution of the war against *Spain*[1]; and, as I hinted before, by a more complete reduction of *Ireland*. But say, we are no judges of those high matters. What glory accrued to the *English* name, by the insidious dealing with the queen of *Scots*; by the vindictive proceedings against the duke of *Norfolk*; by the merciless persecutions of the unhappy earl of *Essex*? The same spirit, you see, continued from the beginning of this reign to the end of it. And the observation is the better worth attending to, because some have excused the queen's

[1] So good a judge of military matters, as Sir WALTER RALEIGH, was of this opinion with regard to the conduct of the *Spanish* war. "If the late queen would have believed her men of war, as she did her scribes, we had, in her time, beaten that great empire in pieces, and made their kings, kings of figs and oranges, as in old times. But *her majesty did all by halves*, and, by petty invasions, taught the *Spaniard* how to defend himself, and to see his own weakness; which, till our attempts taught him, was hardly known to himself." See his Works, vol. i. p. 273. —RALEIGH, it may be said, was of the CECIL faction. But the men of war, of the ESSEX faction, talked exactly in the same strain; which shews that this might probably be the truth.

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treatment of ESSEX by saying, "That her nature, in that decline of life, was somewhat clouded by apprehensions; as the horizon, they observe, in the evening of the brightest day, is apt to be obscured by vapours [m]." As if this fanciful simile, which illustrates perhaps, could excuse, the perverseness of the queen's temper; or, as if that could deserve to pass for an incident of age, which operated through life, and so declares itself to have been the proper result of her nature.

You promised, interposed Dr. ARBUTHNOT, not to pry too closely into the secrets of the cabinet. And such I must needs esteem the points to be, which you have mentioned. But enough of these beaten topics. I would rather attend you in the survey you promised to take of her court, and of the princely qualities that adorned it. It is from what passes in the inside of his palace, rather than from some ques-

[m] See Sir HENRY WOTTON's *Parallel of the earl of Essex and duke of Buckingham.* The words are these: "He [the earl of *Essex*] was to wrestle with a queen's declining, or rather with her very setting age, as we may term it; which, besides other respects, is commonly even of itself the more umbratious and apprehensive; as for the most part all horizons are charged with certain vapours towards their evening." REMAINS, p. 11.

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tionable public acts, that the real character of a prince is best determined. And there, methinks, you have a scene opened to you, that deserves your applause. Nothing appears but what is truly royal. Nobody knew better, than ELIZABETH, how to support the decorum of her rank. She presided in that high orb with the dignity of a great queen. In all emergencies of danger, she shewed a firmness, and, on all occasions of ceremony, a magnificence, that commanded respect and admiration. Her very diversions were tempered with a severity becoming her sex and place, and which made her court, even in its lightest and gayest humours a school of virtue.

These are the points, concluded he, I could wish you to speak to. The rest may be left to the judgment of the historian, or rather to the curiosity of the nice and critical politician.

You shall be obeyed, Mr. ADDISON said. I thought it not amiss to take off the glare of those applauded qualities, which have dazzled the public at a distance, by shewing that they were either feigned or over-rated. But I come now to unmask the real character of this renowned princess. I shall paint her freely indeed, but truly as she appears to me. And,

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to speak my mind at once, I think it is not so much to her virtues, which at best were equivocal, as to her very VICES, that we are to impute the popular admiration of her character and government.

I before took notice of the high, indecent PASSION, she discovered towards her courtiers. This fierceness of temper in the softer sex was taken for heroism; and, falling in with the slavish principles of the age, begot a degree of reverence in her subjects, which a more equal, that is a more becoming, deportment would not have produced. Hence, she was better served than most of our princes, only because she was more feared; in other words, because she less deserved to be so. But high as she would often carry herself in this unprincely, I had almost said unwomanly, treatment of her servants; awing the men by her oaths, and her women by blows; it is still to be remembered, that she had a great deal of natural TIMIDITY in her constitution.

What! interrupted Dr. ARBUTHNOT hastily, the magnanimous ELIZABETH a coward? I should as soon have expected that charge against CÆSAR himself, or your own MARLBOROUGH.

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I distinguish, Mr. ADDISON said, betwixt a parade of courage, put on to serve a turn, and keep her people in spirits, and that true greatness of mind, which, in one word, we call *magnanimity*. For this last, I repeat it, she either had it not, or not in the degree in which it has been ascribed to her. On the contrary, I see a littleness, a pusillanimity, in her conduct on a thousand occasions. Hence it was, that both to her people and such of the neighbouring states as she stood in awe of, she used an excessive hypocrisy, which, in the language of the court, you may be sure, was called policy. To the *Hollanders*, indeed, she could talk big; and it was not her humour to manage those over whom she had gained an ascendant. This has procured her, with many, the commendation of a princely magnanimity. But, on the other hand, when discontents were apprehended from her subjects, or when *France* was to be diverted from any designs against her, no art was forgotten that might cajole their spirits with all the professions of cordiality and affection. Then she was *wedded*, that was the tender word, to her people: and then the interest of religion itself was sacrificed by this Protestant queen to her newly-perverted brother on the Continent.

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Her foible, in this respect, was no secret to her ministers. But, above all, it was practised upon most successfully by the Lord BURGHLEY; "for whom, as I have seen it observed, it was as necessary that there should be treasons, as for the state that they should be prevented[n]." Hence it was, that he was perpetually raising her fears, by the discovery of some plot, or, when that was wanting, by the proposal of some law for her greater security. In short, he was for ever finding, or making, or suggesting, dangers. The queen, though she would look big (for indeed she was an excellent actress), startled at the shadows of those dangers, the slightest rumours. And to this convenient timidity of his mistress, so constantly alarmed, and relieved in turn by this wily minister, was owing, in a good degree, that long and unrivalled interest, he held in her favour.

Still, further, to this constitutional *fear* (which might be forgiven to her sex, if it had not been so strangely mixed with a more than masculine ferocity in other instances) must be ascribed those favourite maxims of policy, which ran through her whole government. Never was prince more attached to the Machiavelian doctrine, DIVIDE ET IMPERA, than our

[n] THE DISPARITY, p. 43.

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ELIZABETH [o]. It made the soul of her policies, domestic and foreign. She countenanced the two prevailing factions of the time. The Churchmen and Puritans divided her favour so equally, that her favourites were sure to be the chiefs of the contending parties. Nay, her court was a constant scene of cabals and personal animosities. She gave a secret, and sometimes an open, countenance to these jealousies.

[o] This account of her policy is confirmed by what we read in the DISPARITY, before cited. "That trick of countenancing and protecting factions (as that queen, almost her whole reign, did with singular and equal demonstration of grace look upon several persons of most distant wishes one towards another) was not the least ground of much of her quiet and success. And she never doubted but that men, that were never so opposite in their good-will each to other, or never so dishonest in their projectments for each other's confusion, might yet be reconciled in their allegiance towards her. Insomuch that, during her whole reign, she never endeavoured to reconcile any personal differences in the court, though the unlawful emulations of persons of nearest trust about her, were ever like to overthrow some of her chiefest designs: *A policy, seldom entertained by princes, especially if they have issues to survive them,*" p. 46. Her own historian, it is true, seems a little shy of acknowledging this conduct of the queen, with regard to her nobility and ministers. But he owns, "She now and then took a pleasure (and not unprofitably) in the emulation and privy grudges of her women." CAMDEN'S ELIZABETH, p. 79. fol. *Lond.* 1688.

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The same principle directed all her foreign negociations.[p] DIALOGUE IV.

And are you not aware, interrupted Dr. ARBUTHNOT, that this objected policy is the very topic that I, and every other admirer of the queen, would employ in commendation of her great ability in the art of government? It has been the fate of too many of our princes (and perhaps some late examples might be given) to be governed, and even insulted, by a prevailing party of their own subjects. ELIZABETH was superior to such attempts. She had no bye-ends to pursue. She frankly threw herself on her people. And, secure in their affection, could defeat at pleasure, or even divert herself with, the intrigues of this or that aspiring faction.

We understand you, Mr. ADDISON replied; but when two parties are contending within a state, and one of them only in its true interest, the policy is a little extraordinary that should

p We find an intimation to this purpose, in a writer of credit, at least with respect to the *Dutch* and *Ireland*—"Jam et *divulsam* Hiberniam, et in Batavis Angli militis *seditiones*, velut JUSSAS, erant qui exprobrarent." GROTII ANNAL. l. xii. p. 432.

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incline the sovereign to discourage *this*, from the poor ambition of controuling *that*, or, as you put it still worse, from the dangerous humour of playing with *both* parties. I say nothing of later times. I only ask, if it was indifferent, whether the counsels of the CECILS or of LEICESTER were predominant in that reign? But I mentioned these things before, and I touch them again now, only to shew you, that this conduct, however it may be varnished over by the name of wisdom, had too much the air of fearful womanish intrigue, to consist with that heroical firmness and intrepidity so commonly ascribed to queen ELIZABETH [q].

And what if, after all, I should admit, replied Dr. ARBUTHNOT, that, in the composition

[q] Something like this was observed of her disposition by Sir JAMES MELVIL. After having related to his mistress, the queen of *Scots*, the strong professions of friendship which the queen of *England* had made to him, "She [the queen of *Scots*] inquired, says he, whether I thought that queen meant truly towards her inwardly in her heart, as she appeared to do outwardly in her speech. I answered freely, that, in my judgment, there was neither plain dealing, nor upright meaning; but great dissimulation, emulation, and FEAR, lest her princely qualities should over-soon chace her from her kingdom," &c. MEMOIRS, p. 53.

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of a woman's courage, at least, there might be some scruples of discretion? Is there any advantage, worth contending for, you could draw from such a concession? Or, because you would be thought serious, I will put the matter more gravely. The arts of prudence, you arraign so severely, could not be taken for pusillanimity. They certainly were not, in her own time; for she was not the less esteemed or revered by all the nations of *Europe* on account of them. The most you can fairly conclude is, that she knew how to unite address with bravery, and that, on occasion, she could *dissemble* her high spirit. The difficulties of her situation obliged her to this management.

Rather say at once, returned Mr. ADDISON, that the constant dissimulation, for which she was so famous, was assumed to supply the want of a better thing, which had rendered all those arts as unnecessary as they were ignoble.

But *haughtiness* and *timidity*, pursued he, were not the only vices that turned to good account in the queen's hands. She was frugal beyond all bounds of decorum in a prince, or rather AVARICIOUS beyond all reasonable excuse from the public wants and the state of her

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revenue. Nothing is more certain than this fact, from the allowance both of friends and enemies. It seems as if, in this respect, her father's example had not been sufficient; and that, to complete her character, she had incorporated with many of his, the leading vice of her grandfather.

Here Dr. ARBUTHNOT could not contain himself; and the castle happening at that time, from the point where they stood, to present the most superb prospect, "Look there, said he, on the striking, though small, remnants of that grandeur you just now magnified so much; and tell me if, in your conscience, you can believe such grants are the signs, or were the effects, of avarice. For you are not to learn, that this palace before us is not the only one in the kingdom, which bears the memory of the queen's bounty to her servants."

Mr. ADDISON seemed a little struck with the earnestness of this address: "It is true, said he, the queen's fondness for one or two of her favourites made her sometimes lavish of her grants; especially of what cost her nothing, and did not, it seems, offend the delicacy of her scruples; I mean, of the *church-lands*. But at the same time her treasury was shut

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against her ambassadors and foreign ministers; who complain of nothing more frequently than the slenderness of their appointments, and the small and slow remittances that were made to them. This frugality (for I must not call it by a worse name) distressed the public service on many occasions [r]; and would have done it on more, if the zeal of her trusty servants had not been content to carry it on at the expence of their own fortunes. How many instances might be given of this, if ONE were not more than sufficient, and which all posterity will remember with indignation!

You speak of WALSINGHAM, interposed Dr. ARBUTHNOT. But were it not more candid o

r Secretary WALSINGHAM, in a letter to the queen, *Sept.* 2, 1581, amongst other things to the same purpose, has the following words — "*Remember*, I humbly beseech your majesty, *the respect of charges hath lost Scotland*: and I would to God I had no cause to think, that *it might put your highness in peril of the loss of England*." — "And even the Lord Treasurer himself (we are told) in a letter still extant in the paper-office, written in the critical year 1588, while the *Spanish* armada was expected against *England*, excuses himself to sir EDWARD STAFFORD, then embassador in *France*, for not writing to him oftener, *on account of her majesty's unwillingness to be at the expence of messengers*." Sir T. EDMONDES' State-papers, by Dr. BIRCH, p. 21.

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DIALOGUE IV. impute the poverty of that minister to his own generous contempt of riches, which he had doubtless many fair occasions of procuring to himself, than to any designed neglect of him by his mistress?

The candour, returned Mr. ADDISON, must be very extraordinary, that can find an excuse for the queen in a circumstance that doubles her disgrace. But be it as you pretend. The uncommon moderation of the man shall be a cover to the queen's parsimony. It was not, we will say, for this wise princess to provoke an appetite for wealth in her servants: it was enough that she gratified it, on proper occasions, where she found it already raised. And in this proceeding, no doubt, she was governed by a tender regard for their honour, as well as her own interest. For how is her great secretary ennobled, by filling a place in the short list of those worthies, who, having lived and died in the service of their countries, have left not so much as a pittance behind them, to carry them to their graves! All this is very well. But when she had indulged this humour in one or two of her favourites, and suffered them, for example's sake, to ascend to these heights of honour, it was going, methinks, a little too far, to expect the same delicacy of

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virtue in all her courtiers. Yet it was not her fault, if most of them did not reap this fame of illustrious poverty, as well as WALSINGHAM. She dealt by them, indeed, as if she had ranked poverty, as well as celibacy, among the cardinal virtues.

In the mean time, I would not deny that she had a princely fondness for shew and appearance. She took a pride in the brilliancy of her court. She delighted in the large trains of her nobility. She required to be royally entertained by them. And she thought her honour concerned in the figure they made in foreign courts, and in the wars. But, if she loved this pomp, she little cared to furnish the expence of it. She considered in good earnest (as some have observed, who would have the observation pass for a compliment[s]) *the purses*

[s] One of these complaisant observers was the writer of *the Description of England*, who, speaking of the variety of the queen's houses, checks himself with saying, "But what shall I need to take upon me to repeat all, and tell what houses the queen's majesty hath? Sith ALL IS HIRE; and when it pleaseth hir in the summer season to recreate hirself abroad, and view the state of the countrie, and hear the complaints of hir unjust officers or substitutes, *every nobleman's house is hir palace*, where she continueth during pleasure; and till she returne again to some of hir owne; in which she remaineth as long as pleaseth hir." p. 196.

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of her subjects as her own; and seemed to reckon on their being always open to her on any occasion of service, or even ceremony. She carried this matter so far, that the very expences of her wars were rather defrayed out of the private purses of her nobility, than the public treasury. As if she had taken it for a part of her *prerogative* to impoverish her nobles at pleasure; or rather, as if she had a mind to have it thought that one of their *privileges* was, to be allowed to ruin themselves from a zeal to her service.

But the queen's avarice, proceeded he, did not only appear from her excessive parsimony in the management of the public treasure, but from her rapacity in getting what she could from particulars into her privy purse. Hence it was that all offices, and even personal favours, were in a manner set to sale. For it was a rule with her majesty, to grant no suit but for a reasonable consideration. So that whoever pretended to any place of profit or honour was sure to send a jewel, or other rich present beforehand, to prepare her mind for the entertainment of his petition. And to what other purpose was it that she kept her offices so long vacant, but to give more persons an opportunity of winning a preference in her

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favour; which for the most part inclined to those who had appeared, in this interval, to deserve it best? Nay, the slightest disgust, which she frequently took on very frivolous occasions, could not be got over but by the reconciling means of some valuable or well-fancied present. And, what was most grievous, she sometimes accepted the present, without remitting the offence.

I remember a ridiculous instance of this sort. When the Lady LEICESTER wanted to obtain the pardon of her unfortunate son, the Lord ESSEX, she presented the queen with an exceeding rich gown, to the value of above an hundred pounds. She was well pleased with the gift, but thought no more of the pardon. We need not, after this, wonder at what is said of her majesty's leaving a prodigious quantity of jewels and plate behind her, and even a *crowded wardrobe*. For so prevalent was this thrifty humour in the queen's highness, that she could not persuade herself to part with so much as a cast-gown to any of her servants [t].

[t] Perhaps they had no need of such favours. It seems as if they had provided for themselves another way. One of her ladies, the Lady EDMONDES, had been applied to for her interest with the queen in a certain affair of no

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You allow yourself to be very gay, replied Dr. ARBUTHNOT, on this foible of the great queen. But one thing you forget, that it never biassed her judgment so far as to prevent

great moment, then depending in the Court of Chancery. The person, commissioned to transact this matter with her ladyship, had offered her 100*l.* which she treated *as too small a sum.* The relater of this fact adds—"This ruffianry of causes I am daily more and more acquainted with, and see the manner of dealing, which cometh of the queen's *straitness* to give these women, whereby they presume thus to grange and truck causes." See a letter in MEM. of Q. ELIZABETH, by Dr. BIRCH, vol. i. p. 354. But this 100*l.* as the virtuous Lady EDMONDES says, was *a small sum.* It appears, that bishop FLETCHER, on his translation to *London,* "bestowed in allowances and gratifications to divers attendants [indeed we are not expressly told, they were *female*] about her majesty, the sum of 3100*l.* which money was given by him, for the most part of it, *by her majesty's direction and special appointment.*" Mem. vol. ii. p. 113. And the curiosity is, to find this minute of episcopal *gratifications* in a petition presented to the queen herself, "To move her majesty in commiseration towards the orphans of this bishop."—However, to do the ladies justice, the contagion of bribery was so general in that reign, that the greatest men in the court were infected by it. The lord-keeper PUCKERING, it seems, had a finger in the affair of the 100*l.*; nay, himself speaks to the lady to get him commanded by the queen to favour the suit. And we are told, that SIR W. RALEIGH had no less than 10,000*l.* for his interest with the queen on a certain occasion, after having been invited to this

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a fit choice of her servants on all occasions [u]. And, as to her wary management of the public revenue, which you take a pleasure to exaggerate, this, methinks, is a venial fault in a prince, who could not, in her circumstances, have provided for the expences of government, but by the nicest and most attentive œconomy.

I understand, said Mr. ADDISON, the full force of that consideration; and believe it was that *attention* principally, which occasioned the popularity of her reign, and the high esteem, in which the wisdom of her government is held to this day. The bulk of her subjects were, no doubt, highly pleased to find themselves spared on all occasions of expence. And it served at the same time, to gratify their natural envy of the great, to find that *their* fortunes were first and principally sacrificed to the public service. Nay, I am not sure that the very rapacity of her nature, in the sale of

service by the finest letter that ever was written.—Indeed it is not said how much of this secret service money went *in allowances and gratifications to the attendants about the queen's majesty*, vol. ii. p. 497.

[u] Lord BACON made the same excuse for *his* bribery; as he had learnt, perhaps, the trade itself from his royal mistress. It was a rule with this great chancellor, "Not to sell injustice, but never to let justice go scot-free."

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her offices, was any objection with the people at large, or even the lower gentry of the kingdom. For these, having no pretensions themselves to those offices, would be well enough pleased to see them not *bestowed* on their betters, but dearly purchased by them. And then this traffic at court furnished the inferior gentry with a pretence for making the most of their magistracies. This practice at least must have been very notorious amongst them, when a facetious member of the lower house could define a justice of peace to be, "A living creature, that for half a dozen of chickens, will dispense with a whole dozen of penal statutes[w]." But, however this be, the queen's ends, in every view, were abundantly answered. She enriched herself: she gained the affections of the people, and depressed and weakened the nobility. And by all these ways she effectually provided for, what she had ever most at heart, her own supreme and uncontrolled authority.

[w] See *Hist. Collections*, by H. TOWNSHEND, Esq.; p. 268. *Lond.* 1680.—The lord-keeper too, in a speech in the star-chamber, confirms this charge on the country justices. "The thirst, says he, after this authority, proceedeth from nothing but an ambitious humour of gaining of reputation amongst their neighbours: that still, when they come home, *they may be presented with presents*." Ibid. p. 355.

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And is that to be wondered at in a great prince? returned Dr. ARBUTHNOT. Or, to take the matter in the light you place it, what if the queen had so much of her sex [x] and family in her disposition, as to like well enough to have her own way, is this such a crime as you would make of it? If she loved power, it was not to make a wanton or oppressive use of it. And if all princes knew as well to bound their own wills, as she did, we should not much complain of their impatience to be under the control of their subjects.

I am sorry, said Mr. ADDISON, that the acts of her reign will not allow me to come into this opinion of her moderation. On the other hand, her government appears to me, in many instances, OPPRESSIVE, and highly prejudicial to the ancient rights and privileges of her

[x] When the queen declared to Sir JAMES MELVIL her resolution of virginity, "I know the truth of that, madam, (said he); you need not tell it me. Your majesty thinks, if you were married, you would be but queen of *England*; and now you are both king and queen. *I know your spirit cannot endure a commander.*" MEM. p. 49. This was frank. But Sir JAMES MELVIL was too well seen in courts to have used this language, if he had not understood it would be welcome. Accordingly, the queen's highness did not seem displeased with the imputation.

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people. For what other construction can we make of her frequent interposition to restrain the counsels of their representatives in parliament: threatening some, imprisoning others, and silencing all with the thunder of her prerogative? Or, when she had suffered their counsels to ripen into bills, what shall we say of her high and mighty rejection of them, and that not in single and extraordinary cases, but in matters of ordinary course, and by dozens? I pass by other instances. But was her *moderation* seen in dilapidating the revenues of the church; of that church, which she took under the wing of her supremacy, and would be thought to have sheltered from all its enemies [y]. The honest archbishop PARKER, I have

[y] This was a common topick of complaint against the queen, or at least her ministers, and gave occasion to that reproof of the poet SPENSER, which the persons concerned could hardly look upon as very decent,

"Scarce can a bishoprick forepass them bye
But that it must be gelt in privity."

Mother HUBBARD's *Tale*.

But a bishop of that time carries the charge still further. In one of his sermons at court before the queen, "Parsonages and vicarages, says he, seldom pass now-a-days from the patron, but either for the lease, or the present money. Such merchants are broken into the church of God, a great deal more intolerable than were they whom CHRIST whipped out of the temple."—This language

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heard, ventured to remonstrate against this abuse, the cognizance of which came so directly within his province. But to what effect, may be gathered, not only from the continuance of these depredations, but her severe reprehension of another of her bishops, whom she threatened with an oath to UNFROCK—that was her majesty's own word—if he did not immediately give way to her princely extortions.

It may be hardly worth while to take notice of smaller matters. But who does not resent her capricious tyranny, in disgracing such of her servants as presumed to deviate, on any pretence, from her good pleasure; nay, such as gave an implicit obedience to her will, if it stood with her interest to disgrace them? Something, I know, may be said to excuse the proceedings against the queen of *Scots*. But the fate of DAVISON will reflect eternal dishonour

is very harsh, and surely not deserved by the Protestant patrons of those days, who were only, as we may suppose, for reducing the church of CHRIST to its pure and primitive state of indigence and suffering. How edifying is it to hear St. PAUL speak of his being—*In hunger and thirst, in fastings often, in cold and nakedness!* And how perfectly reformed would our church be, if its ministers were but once more in this blessed apostolical condition!

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on the policy, with which that measure was conducted.

I run over these things hastily, continued Mr. ADDISON, and in no great order: but you will see what to conclude from these hints; which taken together, I believe, may furnish a proper answer to the most considerable parts of your apology.

To sum it up in few words. Those two great events of her time, THE ESTABLISHMENT OF THE REFORMATION, and THE TRIUMPH OVER THE POWER OF SPAIN, cast an uncommon lustre on the reign of ELIZABETH. Posterity, dazzled with these obvious successes, went into an excessive admiration of her personal virtues. And what has served to brighten them the more, is the place in which we chance to find her, between the bigot queen on the one hand, and the pedant king on the other. No wonder then that, on the first glance, her government should appear able, and even glorious. Yet, in looking into particulars, we find that much is to be attributed to fortune, as well as skill; and that her glory is even lessened by considerations, which, on a careless view, may seem to augment it. The difficulties, she had to encounter, were great. Yet these very difficulties, of

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themselves, created the proper means to surmount them. They sharpened the wits, inflamed the spirits, and united the affections, of a whole people. The name of her great enemy on the continent, at that time, carried terror with it. Yet his power was, in reality, much less than it appeared. The *Spanish* empire was corrupt and weak, and tottered under its own weight. But this was a secret even to the *Spaniard* himself. In the mean time, the confidence, which the opinion of great strength inspires, was a favourable circumstance. It occasioned a remissness and neglect of counsel on one side, in proportion as it raised the utmost vigilance and circumspection on the other. But this was not all. The religious feuds in the Low Countries—the civil wars in *France*—the distractions of *Scotland*—all concurred to advance the fortunes of ELIZABETH. Yet all had, perhaps, been too little in that grand crisis of her fate, and, as it fell out, of her glory, if the conspiring elements themselves had not fought for her.

Such is the natural account of her foreign triumphs. Her domestic successes admit as easy a solution. Those external dangers themselves, the genius of the time, the state of religious parties, nay, the very factions of her

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court, all of them directly, or by the slightest application of her policy, administered to her greatness. Such was the condition of the times, that it forced her to assume the resemblance, at least, of some popular *virtues:* and so singular her fortune, that her very *vices* became as respectable, perhaps more useful to her reputation, than her virtues. She was vigilant in her counsels; careful in the choice of her servants; courteous and condescending to her subjects. She appeared to have an extreme tenderness for the interests, and an extreme zeal for the honour, of the nation. This was the bright side of her character; and it shone the brighter from the constant and imminent dangers, to which she was exposed. On the other hand, she was choleric, and imperious; jealous, timid, and avaricious: oppressive, as far as she durst; in many cases capricious, in some tyrannical. Yet these vices, some of them sharpened and refined her policy, and the rest, operating chiefly towards her courtiers and dependents, strengthened her authority, and rooted her more firmly in the hearts of the people. The mingled splendour of these qualities, good and bad (for even her worst had the luck, when seen but on one side, or in well-disposed lights, to look like good ones) so far dazzled the eyes of all, that they did not, or would not, see

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many outrageous acts of tyranny and oppression.

And thus it hath come to pass that, with some ability, more cunning, and little real virtue, the name of ELIZABETH is, by the concurrence of many accidental causes, become the most revered of any in the long roll of our princes. How little she merited this honour, may appear from this slight sketch of her character and government. Yet, when all proper abatement is made in both, I will not deny her to have been a great, that is, a *fortunate*, queen; in this, perhaps, the most fortunate, that she has attained to so unrivalled a glory with so few pretensions to deserve it.

And so, replied Dr. ARBUTHNOT, you have concluded your invective in full form, and rounded it, as the ancient orators used to do, with all the advantage of a peroration. But, setting aside this trick of eloquence, which is apt indeed to confound a plain man, unused to such artifices, I see not but you have left the argument much as you took it up; and that I may still have leave to retain my former reverence for the good old times of queen ELIZABETH. It is true, she had some foibles. You have spared, I believe, none of them. But, to

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make amends for these defects, let but the history of her reign speak for her, I mean in its own artless language, neither corrupted by flattery, nor tortured by invidious glosses; and we must ever conceive of her, I will not say as the most faultless, perhaps not the most virtuous, but surely the most able, and, from the splendour of some leading qualities, the most glorious of our *English* monarchs.

To give you my notion of her in few words. —For the dispute, I find, must end, as most others usually do, in the simple representation of our own notions.—She was discreet, frugal, provident, and sagacious: intent on the pursuit of her great ends, *the establishment of religion*, and *the security and honour of her people*: prudent in the choice of the best *means* to effect them, the employment of able servants, and the management of the public revenue: dexterous at improving all advantages which her own wisdom or the circumstances of the times gave her: fearless and intrepid in the execution of great designs, yet careful to unite the deepest foresight with her magnanimity. If she seemed AVARICIOUS, let it be considered that the nicest frugality was but necessary in her situation: if IMPERIOUS, that a female government needed to be made respectable by a shew of authority: and if at

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any time OPPRESSIVE, that the *English* constitution, as it then stood, as well as her own nature, had a good deal of that bias. DIALOGUE IV.

In a word, let it be remembered, that she had the honour of ruling*, perhaps of forming, the wisest, the bravest, the most virtuous people, that have adorned any age or country; and that she advanced the glory of the *English* name and that of her own dignity to a height, which has no parallel in the annals of our nation.

Mr. DIGBY, who had been very attentive to the course of this debate, was a little disappointed with the conclusion of it. He thought to have settled his judgment of this reign by the information his two friends should afford him. But he found himself rather perplexed by their altercations, than convinced by them.

* It was this circumstance that seemed to weigh most with the Lord Chancellor BACON; who, in his short tract, *In felicem memoriam* ELIZABETHÆ, saith, "Illud cogitandum censeo, in quali populo imperium tenuerit: si enim in Palmyrenis, aut Asiâ imbelli et molli regnum sortita esset, minùs mirandum fuisset—verùm in ANGLIA, *natione ferocissimâ et bellicosissimâ*, omnia ex nutu fœminæ moveri et cohiberi potuisse, SUMMAM MERITO ADMIRATIONEM HABET."

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DIALOGUE IV. He owned, however, the pleasure they had given him; and said, he had profited so much at least by the occasion, that, for the future, he should conceive with something less reverence of the great queen, and should proceed with less prejudice to form his opinion of her character and administration.

Mr. ADDISON did not appear quite satisfied with this sceptical conclusion; and was going to enforce some things, which he thought had been touched too slightly, when Dr. ARBUTHNOT took notice that their walk was now at an end; the path, they had taken, having by this time brought them round again to the walls of the castle. Besides, he said, he found himself much wearied with this exercise; though the warmth of debate, and the opportunities he took of resting himself at times, had kept him from complaining of it. He proposed, therefore, getting into the coach as soon as possible; where, though the conversation was in some sort resumed, there was nothing material enough advanced on either side to make it necessary for me to continue this recital any further.

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DIALOGUE V.

ON THE

CONSTITUTION

OF THE

ENGLISH GOVERNMENT.

BETWEEN

SIR JOHN MAYNARD, MR. SOMERS,

AND

BISHOP BURNET.

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DIALOGUE V.

ON THE CONSTITUTION OF THE ENGLISH GOVERNMENT.

SIR JOHN MAYNARD, MR. SOMERS, BISHOP BURNET[a].

TO DR. TILLOTSON.

THOUGH the principles of nature and common sense do fully authorise resistance to the civil magistrate in extreme cases, and of course justify the late Revolution to every candid and

[a] The subject of these Dialogues, on *the English Constitution,* is the most important in *English* politics.—To cite all the passages from our best antiquaries and historians, out of which this work was formed, and which lay before the writer in composing it, would swell this volume to an immoderate size. It is enough to say, that nothing *material* is advanced in the course of the argument, but on the best authority.

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dispassionate man; yet I am sensible, my excellent friend, there are many prejudices which hinder the glorious proceedings in that affair from being seen in their true light. The principal of them, indeed, are founded on false systems of policy, and those tied down on the consciences of men by wrong notions of religion. And such as these, no doubt, through the experience of a better government, and a juster turn of thinking, which may be expected to prevail in our times, will gradually fall away of themselves.

But there is another set of notions on this subject, not so easy to be discredited, and which are likely to keep their hold on the minds even of the more sober and considerate sort of men. For whatever advantage the cause of liberty may receive from general reasonings on the origin and nature of civil government, the greater part of our countrymen will consider, and perhaps rightly, the inquiry into the constitution of *their* own government, as a question of FACT; that must be tried by authorities and precedents only; and decided at last by the evidence of historical testimony, not by the conclusions of philosophy or political speculation.

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Now, though we are agreed that this way of managing the controversy must, when fully and fairly pursued, be much in favour of the new settlement, yet neither, I think, is it for every man's handling, nor is the evidence resulting from it of a nature to compel our assent. The argument is formed on a vast variety of particulars, to be collected only from a large and intimate acquaintance with the antiquities, laws, and usages of the kingdom. Our printed histories are not only very short and imperfect; but the original records, which the curious have in their possession, are either so obscure or so scanty, that a willing adversary hath always in readiness some objection, or some cavil at least, to oppose to the evidence that may be drawn from them. Besides, appearances, even in the plainest and most unquestioned parts of our history, are sometimes so contradictory; arising either from the tyranny of the prince, the neglect of the people, or some other circumstance of the times; and, to crown all, the question itself hath been so involved by the disputations of prejudiced and designing men; that the more intelligent inquirer is almost at a loss to determine for himself, on which side the force of evidence lies.

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On this account I have frequently thought with myself, that a right good CONSTITUTIONAL HISTORY of *England* would be the noblest service that any man, duly qualified for the execution of such a work, could render to his country. For though, as I said, the subject be obscure in itself, and perplexed by the subtilties which contending parties have invented for the support of their several schemes; yet, from all I have been able to observe in the course of my own reading, or conversation, there is little doubt but that the form of the *English* government hath, at all times, been FREE. So that, if such a history were drawn up with sufficient care out of our authentic papers and public monuments, it would not only be matter of entertainment to the curious, but the greatest security to every *Englishman* of his religious and civil rights. For what can be conceived, more likely to preserve and perpetuate these rights, than the standing evidence which such a work would afford, of the genuine spirit and temper of the constitution? Of the principles of freedom [b], on

[b] That is, of the *feudal law*: which was one of the subjects explained by the bishop to his royal pupil the duke of *Gloucester*: "I acquainted him, says he, with all the great revolutions that had been in the world, and gave

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which it was formed, and on which it hath been continually and uniformly conducted? Our youth, who at present amuse themselves with little more than the military part of our annals, would then have an easy opportunity of seeing to the bottom of all our civil and domestic broils. They would know on what pretences the PREROGATIVE of our kings hath sometimes aspired to exalt itself above controul; and would learn to revere the magnanimity of their forefathers, who as constantly succeeded in their endeavours to reduce it within the ancient limits and boundaries of the LAW. In a word, they would no longer rest on the surface and outside, as it were, of the *English* affairs, but would penetrate the interior parts of our constitution; and furnish themselves with a competent degree of civil and political wisdom; the most solid fruit that can be gathered from the knowledge and experience of past times.

And I am ready to think that such a provision as this, for the instruction of the *English*

him a copious account of the *Greek* and *Roman* histories, and of PLUTARCH's Lives: the last thing I explained to him was the Gothic constitution, and the BENEFICIARY AND FEUDAL LAWS." [HIST. *of his own Times*, vol. iv. p. 357. *Edinb.* 1753.]

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Dialogue V.

youth, may be the more requisite, on account of that limited indeed, yet awful form of government, under which we live. For, besides the name, and other ensigns of majesty, in common with those who wear the most despotic crown, the whole execution of our laws, and the active part of government, is in the hands of the prince. And this pre-eminence gives him so respectable a figure in the eyes of his subjects, and presents him so constantly, and with such lustre of authority, to their minds, that it is no wonder they are sometimes disposed to advance him, from the rank of first magistrate of a free people, into that of supreme and sole arbiter of the laws.

So that, unless these prejudices are corrected by the knowledge of our constitutional history, there is constant reason to apprehend, not only that the royal authority may stretch itself beyond due bounds; but may grow, at length, into that enormous tyranny, from which this nation hath been at other times so happily, and now of late so wonderfully, redeemed.

But I suffer myself to be carried by these reflexions much further than I designed. I would only say to you, that, having sometimes reflected very seriously on this subject, it was

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with the highest pleasure. I heard it discoursed of the other day by two of the most accomplished lawyers of our age: the venerable Sir JOHN MAYNARD, who, for a long course of years, hath maintained the full credit and dignity of his profession; and Mr. SOMERS, who, though a young man, is rising apace, and with proportionable merits, into all the honours of it.

I was very attentive, as you may suppose, to the progress of this remarkable conversation; and, as I had the honour to bear a full share in it myself, I may the rather undertake to give you a particular account of it. I know the pleasure it will give you to see a subject, you have much at heart, and which we have frequently talked over in the late times, thoroughly canvassed, and cleared up, as I think it must be, to your entire satisfaction.

It was within a day or two after that great event, so pleasing to all true *Englishmen*, THE CORONATION OF THEIR MAJESTIES [c], that Mr. SOMERS and I went, as we sometimes used, to pass an evening with our excellent friend, my

[c] On *April* 11, 1689.

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Lord Commissioner [d]. I shall not need to attempt his character to you, who know him so well. It is enough to say, that his faculties and spirits are, even in this maturity of age, in great vigour. And it seems as if this joyful Revolution, so agreeable to his hopes and principles, had given a fresh spring and elasticity to both.

The conversation of course turned on the late august ceremony; the mention of which awakened a sort of rapture in the good old man, which made him overflow in his meditations upon it. Seeing us in admiration of the zeal which transported him, "Bear with me, said he, my young friends. Age, you know, hath its privilege. And it may be, I use it somewhat unreasonably. But I, who have seen the prize of liberty contending for through half a century, to find it obtained at last by a method so sure, and yet so unexpected, do you think it possible that I should contain myself on such an occasion? Oh, if ye had lived with me in those days, when such mighty struggles were made for public freedom, when so many wise counsels miscarried, and so many

[d] Of the great seal.—The other lawyers in commission were KECK and RAWLINSON.

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generous enterprises concluded but in the confirmation of lawless tyranny; if, I say, ye had lived in those days, and now at length were able to contrast with me, to the tragedies that were then acted, this safe, this bloodless, this complete deliverance: I am mistaken, if the youngest of you could reprove me for this joy, which makes me think I can never say enough on so delightful a subject.

BP. BURNET.

Reprove you, my lord? Alas! we are neither of us so unexperienced in what hath passed of late in these kingdoms, as not to rejoice with you to the utmost for this astonishing deliverance. You know I might boast of being among the first that wished for, I will not say projected, the measures by which it hath been accomplished. And for Mr. SOMERS, the church of *England* will tell——

MR. SOMERS.

I confess, my warmest wishes have ever gone along with those who conducted this noble enterprise. And I pretend to as sincere a

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pleasure as any man, in the completion of it. Yet, if it were not unreasonable at such a time, I might be tempted to mention one circumstance, which, I know not how, a little abates the joy of these triumphant gratulations.

SIR J. MAYNARD.

Is not the settlement then to your mind? Or hath any precaution been neglected, which you think necessary for the more effectual security of our liberties?

MR. SOMERS.

Not that. I think the provision for the people's right as ample as needs be desired. Or, if any further restrictions on the crown be thought proper, it will now be easy for the people, in a regular parliamentary way, to effect it. What I mean is a consideration of much more importance.

BP. BURNET.

The pretended prince of WALES, you think, will be raising some disturbance, or alarm at least, to the new government. I believe, I

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may take upon me to give you perfect satisfaction upon that subject [e]. DIALOGUE V.

MR. SOMERS.

Still your conjectures fall short or wide of my meaning. Our new MAGNA CHARTA, as I love to call the *Declaration of Rights*, seems a sufficient barrier against any future encroachments of the CROWN. And I think, the pretended prince of WALES, whatever be determined of his birth, a mere phantom, that may amuse, and perhaps disquiet, the weaker sort for a while; but, if left to itself [f], will soon vanish out of the minds of the PEOPLE. Not but I allow that even so thin a pretence as this may, some time or other, be conjured up to disturb the government. But it must be, when a certain set of principles are called in aid to support it. And, to save you the further trouble of guessing, I shall freely tell you, what those *principles* are.—You will see, in them,

[e] This was a favourite subject with our good bishop; and how qualified he was to discuss it, even in its minutest particularities, may be learnt from his history at large.

[f] It was not thus *left to itself*, but was nursed and fostered with great care by the preachers of *divine indefeasible hereditary right*, in this and the following reign.

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the ground of my present fears and apprehensions.

It might be imagined that so necessary a Revolution, as that which hath taken place, would sufficiently approve itself to all reasonable men. And it appears, in fact, to have done so, now that the public injuries are fresh, and the general resentment of them strong and lively. But it too often happens, that when the evil is once removed, it is presently forgotten: and in matters of government especially, where the people rarely think till they are made to feel, when the grievance is taken away, the false system easily returns, and sometimes with redoubled force, which had given birth to it.

BP. BURNET.

One can readily admit the principles. But the conclusion, you propose to draw from them—

MR. SOMERS.

This very important one, "That, if the late change of government was brought about, and can be defended only, on the principles of

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liberty; the settlement, introduced by it, can be thought secure no longer than while those principles are rightly understood, and generally admitted."

BP. BURNET.

But what reason is there to apprehend that these principles, so commonly professed and publickly avowed, will not continue to be kept up in full vigour?

MR. SOMERS.

Because, I doubt, they are so commonly and publickly avowed, only to serve a present turn; and not because they come from the heart, or are entertained on any just ground of conviction.

BP. BURNET.

Very likely: and considering the pains that have been taken to possess the minds of men with other notions of government, the wonder is, how they came to be entertained at all. Yet surely the experience of better times may be

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expected to do much. Men will of course think more justly on these subjects in proportion as they find themselves more happy. And thus the principles, which, as you say, were first pretended to out of necessity, will be followed out of choice, and bound upon them by the conclusions of their own reason.

MR. SOMERS.

I wish your lordship be not too sanguine in these expectations. It is not to be conceived how insensible the people are to the blessings they enjoy, and how easily they forget their past miseries. So that, if their principles have not taken deep root, I would not answer for their continuing much longer than it served their purpose to make a shew of them.

SIR J. MAYNARD.

I must confess, that all my experience of mankind inclines me to this opinion. I could relate to you some strange instances of the sort Mr. SOMERS hints at. But after all, Sir, you do not indulge these apprehensions, on account of the general fickleness of human nature. You

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have some more particular reasons for concluding that the system of liberty, which hath worked such wonders of late, is not likely to maintain its ground amongst us.

MR. SOMERS.

I have: and I was going to explain those reasons, if my lord of SALISBURY had not a little diverted me from the pursuit of them.

It is very notorious from the common discourse of men even on this great occasion (and I wish it had not appeared too evidently in the debates of the houses), that very many of us have but crude notions of the form of government under which we live, and which hath been transmitted to us from our forefathers. I have met with persons of no mean rank, and supposed to be well seen in the history of the kingdom, who speak a very strange language. They allow, indeed, that something was to be done in the perilous circumstances into which we had fallen. But, when they come to explain themselves, it is in a way that leaves us no *right* to do any thing; at least, not what it was found expedient for the nation to do at this juncture. For they contend in so many

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words, "that the crown of *England is absolute*; that the form of government is an *entire and simple monarchy*; and that so it hath continued to be in every period of it down to the Abdication: that the CONQUEST, at least, to ascend no higher, invested the FIRST WILLIAM in absolute dominion; that from him it devolved of course upon his successors; and that all the pretended rights of the people, the GREAT CHARTERS of ancient and modern date, were mere usurpations on the prince, extorted from him by the necessity of his affairs, and revocable at his pleasure: nay, they insinuate that parliaments themselves were the creatures of his will; that their privileges were all derived from the sovereign's grant; and that they made no part in the original frame and texture of the *English* government.

In support of this extraordinary system, they refer us to the constant tenor of our history. They speak of the Conqueror, as proprietary of the whole kingdom: which accordingly, they say, he parcelled out, as he saw fit, in grants to his *Norman* and *English* subjects; that, through his partial consideration of the church, and an excessive liberality to his favoured servants, this distribution was so ill made, as to give occasion to all the broils and

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contentions that followed: that the churchmen began their unnatural claim of independency on the crown; in which attempt they were soon followed by the encroaching and too powerful barons: that, in these struggles, many flowers of the crown were rudely torn from it, till a sort of truce was made, and the rebellious humour somewhat composed, by the extorted articles of RUNNING-MEDE: that these confusions, however, were afterwards renewed, and even increased, by the contests of the two houses of YORK and LANCASTER: but that, upon the union of the roses in the person of HENRY VII, these commotions were finally appeased, and the crown restored to its ancient dignity and lustre: that, indeed, the usage of parliaments, with some other forms of popular administration, which had been permitted in the former irregular reigns, was continued; but of the mere grace of the prince, and without any consequence to his prerogative: that succeeding kings, and even HENRY himself, considered themselves as possessed of an imperial crown; and that, though they might sometimes condescend to take the advice, they were absolutely above the control, of the people: in short, that the law itself was but the will of the prince, declared in parliament; or rather solemnly received and attested there, for the

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DIALOGUE V. better information and more entire obedience of the subject.

This they deliver as a just and fair account of the *English* government; the genius of which, they say, is absolute and despotic in the highest degree; as much so, at least, as that of any other monarch in *Europe*. They ask, with an air of insult, what restraint our HENRY VIII, and our admired ELIZABETH, would ever suffer to be put on their prerogative; and they mention with derision the fancy of dating the high pretensions of the crown from the accession of the STUART family. They affirm, that JAMES I, and his son, aimed only to continue the government on the footing on which they had received it; that their notions of it were authorized by constant fact; by the evidence of our histories; by the language of parliaments; by the concurrent sense of every order of men amongst us: and that what followed in the middle of this century was the mere effect of POPULAR, as many former disorders had been of PATRICIAN, violence. In a word, they conclude with saying, that the old government revived again at the RESTORATION, just as, in like circumstances, it had done before at the UNION of the two houses: that, in truth, the voluntary desertion of the late king

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had given a colour to the innovation of the present year; but that, till this new settlement was made, the *English* constitution, as implying something different from pure monarchy, was an unintelligible notion, or rather a mere whimsy, that had not the least foundation in truth or history."

This is a summary of the doctrines, which, I doubt, are too current amongst us. I do not speak of the bigoted adherents to the late king; but of many cooler and more disinterested men, whose *religious* principles, as I suppose (for it appears it could not be their *political)*, had engaged them to concur in the new settlement. You will judge, then, if there be not reason to apprehend much mischief from the prevalence and propagation of such a system: a system, which, as being, in the language of the patrons of it, founded upon *fact*, is the more likely to impose upon the people; and, as referring to the practice of ancient times, is not for every man's confutation. I repeat it, therefore; if this notion of the despotic form of our government become general, I tremble to think what effect it may hereafter produce on the minds of men; especially when joined to that false tenderness, which the people of *England* are so apt to entertain for their princes, even

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the worst of them, under misfortune. I might further observe, that this prerogative system hath a direct tendency to produce, as well as heighten, this compassion to the sovereign. And I make no scruple to lay it before you with all its circumstances, because I know to whom I speak, and that I could not have wished for a better opportunity of hearing it confuted.

BP. BURNET.

I must own, though I was somewhat unwilling to give way to such melancholy apprehensions at this time, I think with Mr. SOMERS, there is but too much reason to entertain them. For my own part, I am apt to look no further for the *right* of the legislature to settle the government in their own way, than their own free votes and resolutions. For, being used to consider all political power as coming originally from the people, it seems to me but fitting that they should dispose of that power for their own use, in what hands, and under what conditions, they please. Yet, as much regard is due to established forms and ancient prescription, I think the matter of *fact* of great consequence; and, if the people in general should once conceive of it according to this representa-

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tion, I should be very anxious for the issue of so dangerous an opinion. I must needs, therefore, join very entirely with Mr. Somers, in wishing to hear the whole subject canvassed, or rather finally determined, as it must be, if Sir John Maynard will do us the pleasure to acquaint us what his sentiments are upon it.

SIR J. MAYNARD.

Truly, my good friends, you have opened a very notable cause, and in good form. Only, methinks, a little less solemnity, if you had so pleased, might have better suited the occasion. Why, I could almost laugh, to hear you talk of fears and dangers from a phantom of your own raising. I certainly believe the common proverb belies us; and that old age is not that dastardly thing it hath been represented. For, instead of being terrified by this conceit of a prescriptive right in our sovereigns to tyrannize over the subject, I am ready to think the contrary so evident from the constant course of our history, that the simplest of the people are in no hazard of falling into the delusion. I should rather have apprehended mischief from other quarters; from the influence of certain

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speculative points, which have been too successfully propagated of late; and chiefly from those pernicious glosses, which too many of my order have made on the letter of the law, and too many of yours, my lord of SALISBURY, on that of the gospel. Trust me, if the matter once came to a question of FACT, and the inquiry be only concerning ancient form and precedent, the decison will be in our favour. And for yourselves, I assure myself, this decision is already made. But since you are willing to put me upon the task, and we have leisure enough for such an amusement, I shall very readily undertake it. And the rather, as I have more than once in my life had occasion to go to the bottom of this inquiry; and now very lately have taken a pleasure to reflect on the general evidence which history affords of our free constitution, and to review the scattered hints and passages I had formerly set down for my private satisfaction.

"I understand the question to be, not under what *form* the government hath appeared at some particular conjunctures, but what we may conclude it to have been from the general current and tenor of our histories. More particularly, I conceive, you would ask,

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not whether the *administration* hath not at some seasons been DESPOTIC, but whether the *genius* of the government hath not at all times been FREE. Or, if you do not think the terms, in which I propose the question, strict enough, you will do well to state it in your own way, that hereafter we may have no dispute about it.

BP. BURNET.

I suppose, the question, as here put, is determinate enough for our purpose.—Or, have you, Mr. SOMERS, any exceptions to make to it?

MR. SOMERS.

I believe we understand each other perfectly well; the question being only this, "Whether there be any ground in history, to conclude that the prince hath a constitutional claim to absolute uncontrolable dominion; or, whether the liberty of the subject be not essential to every different form, under which the *English* government hath appeared?"

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SIR J. MAYNARD.

You expect of me then to shew, in opposition to the scheme just now delivered by you, that neither from the original constitution of the government, nor from the various forms (for they have, indeed, been various) under which it hath been administered, is there any reason to infer, that the *English* monarchy is, or of right ought to be, despotic and unlimited.

Now this I take to be the easiest of all undertakings; so very easy, that I could trust a plain man to determine the matter for himself by the light that offers itself to him from the slightest of our histories. 'Tis true, the deeper his researches go, his conviction will be the clearer; as any one may see by dipping into my friend NAT. BACON's discourses; where our free constitution is set forth with that evidence, as must for ever have silenced the patrons of the other side, if he had not allowed himself to strain some things beyond what the truth, or indeed his cause, required. But, saving to myself the benefit of his elaborate work, I think it sufficient to take notice, that the system of liberty is supported even by that short

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sketch of our history, which Mr. SOMERS hath laid before us; and in spite of the disguises, with which, as he tells us, the enemies of liberty have endeavoured to cloak it.

You do not, I am sure, expect from me, that I should go back to the elder and more remote parts of our history; that I should take upon me to investigate the scheme of government, which hath prevailed in this kingdom from the time that the *Roman* power departed from us; or that I should even lay myself out in delineating, as many have done, the plan of the *Saxon* constitution: though such an attempt might not be unpleasing, nor altogether without its use, as the *principles* of the *Saxon* policy, and in some respects the *form* of it, have been constantly kept up in every succeeding period of the *English* monarchy. I content myself with observing, that the spirit of liberty was predominant in those times: and, for proof of it, appeal at present only to one single circumstance, which you will think remarkable. Our *Saxon* ancestors conceived so little of government, by the will of the magistrate, without fixed laws, that LAGA, or LEAGA, which in their language first and properly signified the same as LAW with us, was trans-

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ferred [g] very naturally (for language always conforms itself to the genius, temper, and manners of a nation) to signify a country, district, or province; these good people having no notion of any inhabited country not governed by laws. Thus DÆNA-LAGA; MERKENA-LAGA; and WESTSEXENA-LAGA, were not only used in their laws and history to signify the *laws* of the *Danes*, *Mercians*, and *West-Saxons*, but the *countries* likewise. Of which usage I could produce to you many instances, if I did not

g This casual remark seems to determine a famous dispute among the Antiquaries on the subject before us. Bishop NICOLSON attended so little to this tralatetious use of words, in which all languages abound, that finding LAGA in several places signified a *country*, he would needs have it that CAMDEN, LAMBARDE, SPELMAN, COWELL, SELDEN, and all our best Antiquaries, were mistaken, when they supposed *Laga* ever signified, in the compositions here mentioned, a *law*. However, his adversaries among the Antiquaries were even with him; and finding that *Laga*, in these compositions, did signify a law in several places of our ancient laws, historians, and lawyers, deny that it ever signifies a *country*. Each indeed had a considerable object in view; the one was bent on overthrowing a system; the other on supporting it; namely, that famous threefold body of laws, the *Danish*, *Mercian*, and *West-Saxon*. It must be owned, the bishop could not overthrow the common system, without running into his extreme: it seems, his opponents might have supported it without running into theirs.

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presume that, for so small a matter as this, my mere word might be taken. DIALOGUE V.

You see then how fully the spirit of liberty possessed the very language of our *Saxon* forefathers. And it might well do so; for it was of the essence of the *German* constitutions; a just notion of which (so uniform was the genius of the brave people that planned them) may be gathered, you know, from what the *Roman* historians, and, above all, from what TACITUS hath recorded of them.

But I forbear so common a topic: and, besides, I think myself acquitted of this task, by the prudent method, which the defenders of the regal power have themselves taken in conducting this controversy. For, as conscious of the testimony which the *Saxon* times are ready to bear against them, they are wise enough to lay the foundation of their system in the CONQUEST. They look no higher than that event for the origin of the *constitution*, and think they have a notable advantage over us in deducing their notion of the *English* government from the form it took in the hands of the *Norman* invader. But is it not pleasant to hear these men calumniate the improvements that have been made from time to time in the plan

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of our civil constitution with the name of *usurpations*, when they are not ashamed to erect the *constitution* itself on what *they* must esteem, at least, a great and manifest usurpation?

BP. BURNET.

CONQUEST, I suppose, in their opinion, gives *right*. And since an inquiry into the origin of a constitution requires that we fix *somewhere*, considering the vast alterations introduced by the Conquest, and that we have never pretended to reject, but only to improve and complete, the duke of NORMANDY's establishment; I believe it may be as proper to set out from that æra as from any other.

SIR J. MAYNARD.

Your lordship does not imagine that I am about to excuse myself from closing with them, even on their own terms. I intended that question only as a reproach to the persons we have to deal with; who, when a successful event makes, or but seems to make, for their idol of an absolute monarchy, call it a regular establishment: whereas a revolution brought about

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by the justest means, if the cause of liberty receive an advantage by it, shall be reviled by the name of usurpation. But let them employ what names they please, provided their facts be well grounded. We will allow them to dignify the *Norman* settlement with the title of CONSTITUTION. What follows? That *despotism* was of the essence of that constitution? So they tell us indeed; but without one word of proof, for the assertion. For what! do they think the name of conquest, or even the *thing*, implies an absolute unlimited dominion? Have they forgotten that WILLIAM's claim to the crown was, not *conquest* (though it enabled him to support his claim), but *testamentary succession*: a title very much in the taste of that time [h], and extremely reverenced by our *Saxon* ancestors? That, even waving this specious claim, he condescended to accept the crown, as a free gift; and by his coronation-oath submitted himself to the same terms of administration, as his predecessors? And that, in one word, he confirmed the *Saxon* laws, at least before he had been many years in possession of his new dignity [i].

h See *Historical Law-Tracts*, vol. i. p. 294.

i MILTON did not forget to observe, in his *Tenure of kings and magistrates*, That WILLIAM the *Norman*, though

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Is there any thing in all this that favours the notion of his erecting himself, by the sole virtue of his victory at *Hastings*, into an absolute lord of the conquered country? Is it not certain that he bound himself, as far as oaths and declarations could bind him, to govern according to law; that he could neither touch the honours nor estates of his subjects but by legal trial; and that even the many forfeitures in his reign are an evidence of his proceeding in that method?

Still we are told "of his parcelling out the whole land, upon his own terms, to his followers;" and are insulted "with his famous institution of feudal tenures." But what if the *former* of these assertions be foreign to the purpose at least, if not false; and the *latter* subversive of the very system it is brought to establish? I think, I have reason for putting both these questions. For, what if he parcelled out most, or all, of the lands of *England* to his followers? The fact has been much disputed. But be it, as they pretend, that the property of all the soil in the kingdom had

a Conqueror, and not unsworn at his Coronation, was compelled a second time to take oath at *St. Albans*, ere the people would be brought to yield obedience. Vol. i. *of his Prose works*, 4to, 1753. p. 345.

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changed hands: What is that to us, who claim under our *Norman*, as well as *Saxon*, ancestors? For the question, you see, is about the form of government settled in this nation at the time of the Conquest. And they argue with us, from a supposed act of tyranny in the Conqueror, in order to come at that settlement. The *Saxons*, methinks, might be injured, oppressed, enslaved; and yet the constitution, transmitted to us through his own *Normans*, be perfectly free.

But their *other* allegation is still more unfortunate. "He instituted, they say, the feudal law." True. But the feudal law, and absolute dominion, are two things; and, what is more, perfectly incompatible.

I take upon me to say, that I shall make out this point in the clearest manner. In the mean time, it may help us to understand the nature of the feudal establishment, to consider the practice of succeeding times. What that was, our adversaries themselves, if you please, shall inform us. Mr. SOMERS hath told their story very fairly; which yet amounts only to this, "That, throughout the *Norman* and *Plantagenet* lines, there was one perpetual contest between the prince and his feudatories for law

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and liberty:" an evident proof of the light in which our forefathers regarded the *Norman* constitution. In the competition of the two ROSES, and perhaps before, they lost sight indeed of this prize. But no sooner was the public tranquillity restored, and the contending claims united in HENRY VII. than the old spirit revived. A legal constitution became the constant object of the people; and, though not always avowed, was, in effect, as constantly submitted to by the sovereign.

It may be true, perhaps, that the ability of *one* prince[k], the imperious carriage of *another*[l], and the generous intrigues of a *third*[m]; but, above all, the condition of the times, and a sense of former miseries, kept down the spirit of liberty for some reigns, or diminished, at least, the force and vigour of its operations. But a passive subjection was never acknowledged, certainly never demanded as a matter of right, till ELIZABETH now and then, and King JAMES, by talking continually in this strain, awakened the national jealousy; which proved so uneasy to himself, and, in the end, so fatal to his family.

k HENRY VII.
l HENRY VIII.
m ELIZABETH.

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I cannot allow myself to mention these things more in detail to you, who have so perfect a knowledge of them. One thing only I insist upon, that, without connecting the system of liberty with that of prerogative in our notion of the *English* government, the tenor of our history is perfectly unintelligible; and that no consistent account can be given of it, but on the supposition of a LEGAL LIMITED CONSTITUTION.

MR. SOMERS.

Yet that constitution, it will be thought, was at least ill defined, which could give occasion to so many fierce disputes, and those carried on through so long a tract of time, between the crown and the subject.

SIR J. MAYNARD.

The fault, if there was one, lay in the original plan of the constitution itself; as you will clearly see when I have opened the nature of it, that is, when I have explained the genius, views, and consequences of the FEUDAL POLICY. It must, however, be affirmed, that this policy was founded in the principles of freedom, and

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was, in truth, excellently adapted to an active, fierce, and military people; such as were all those to whom these western parts of *Europe* have been indebted for their civil constitutions. But betwixt the burdensome services imposed on the subject by this tenure, or which it gave at least the pretence of exacting from him, and the too great restraint which an unequal and disproportioned allotment of feuds to the greater barons laid on the sovereign; but above all, by narrowing the plan of liberty too much; and, while it seemed to provide for the dependency of the prince on one part of his subjects, by leaving both him and them in a condition to exercise an arbitrary dominion over all others: hence it came to pass that the feudal policy naturally produced the struggles and convulsions, you spoke of, till it was seen in the end to be altogether unsuited to the circumstances of a rich, civilized, and commercial people. The event was, that the inconveniences, perceived in this form of government, gradually made way for the introduction of a better; which was not, however, so properly a new form, as the old one amended and set right; cleared of its mischiefs and inconsistencies, but conducted on the same principles as the former, and pursuing the same end, though by different methods.

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It is commonly said, "That the feudal tenures were introduced at the Conquest." But how are we to understand this assertion? Certainly, not as if the whole system of military services had been created by the Conqueror; for they were essential to all the *Gothic* or *German* constitutions. We may suppose then, that they were only new-modelled by this great prince. And who can doubt that the form, which was now given to them, would be copied from that which the *Norman* had seen established in his own country? It would be copied then from the proper FEUDAL FORM; the essence of which consisted in the perpetuity of the feud[n]; whereas these military tenures had been elsewhere temporary only, or revocable at the will of the lord.

But to enter fully into the idea of the feudal constitution; to see at what time, and in what manner, it was introduced: above all, to comprehend the reasons that occasioned this great change; it will be convenient to look back to the estate of *France*, and especially of *Normandy*, where this constitution had, for some

n PROPRIA FEUDI NATURA EST UT SIT PERPETUA.
CUJACIUS, LITTLETON.

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DIALOGUE V. years, taken place before it was transferred to us at the Conquest.

Under the first princes of the *Carlovingian* line, the lands of *France* were of two kinds, ALLODIAL, and BENEFICIARY. The allodial, were estates of inheritance; the persons possessing them, were called HOMMES LIBRES. The beneficiary, were held by grants from the crown. The persons holding immediately under the emperor, were called LEUDES; the sub-tenants, VASSALS.

Further, the allodial lands were alienable, as well as hereditary. The beneficiary were properly neither. They were held for life, or a term of years, at the will of the lord, and reverted to him on the expiration of the term for which they were granted.

I do not stay to explain these institutions minutely. It is of more importance to see the alterations that were afterwards made in them. And the FIRST will be thought a strange one.

The possessors of allodial lands, in *France*, were desirous to have them changed into *tenures*. They who held of the crown *in capite* were entitled to some distinctions and privileges,

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which the allodial lords wished to obtain; and therefore many of them surrendered their lands to the emperor, and received them again of him, in the way of *tenure*. This practice had taken place occasionally from the earliest times: but under CHARLES the Bald, it became almost general; and *free-men* not only chose to hold of the emperor, but of other lords. This last was first allowed, in consequence of a treaty between the three brothers, after the battle of *Fontenay* in 847.

But these *free-men* were not so ill-advised as to make their estates precarious, or to accept a life estate instead of an inheritance. It was requisite they should hold for a perpetuity. And this I take to have been the true origin of hereditary feuds. Most probably, in those dangerous times, little people could not be safe without a lord to protect them: and the price of this protection was the change of propriety into tenure.

The SECOND change was by a law made under the same emperor in the year 877, the last of his reign. It was then enacted, that beneficiary estates held under the crown should descend to the sons of the present possessors: yet not, as I conceive, to the eldest son; but

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to him whom the emperor should chuse: nor did this law affect the estates only, but *offices*, which had hitherto been also beneficiary; and so the sons of counts, marquises, &c. (which were all names of offices, not titles of honour) were to succeed to the authority of their fathers, and to the benefice annexed to it. The new feuds, created in allodial lands, had, I suppose, made the emperor's tenants desirous of holding on the same terms: and the weakness of the reigning prince enabled them to succeed in this first step, which prepared the way for a revolution of still more importance. For,

The THIRD change, by which the inheritance of beneficiary lands and offices was extended to perpetuity, and the possession rendered almost independent of the crown, was not, we may be sure, effected at once, but by degrees. The family of CHARLEMAGNE lost the empire: they resisted with great difficulty the incursions of the *Normans*; and, in the year 911, *Normandy* was granted to them as an hereditary fee. The great lords made their advantage of the public calamities; they defended the king on what terms they pleased; if not complied with in their demands, they refused their assistance in the most critical conjunctures: and

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before the accession of HUGH CAPET, had entirely shaken off their dependence on the crown. For it is, I think, a vulgar mistake to say, that this great revolution was the effect of HUGH's policy. On the contrary, the independence of the nobles, already acquired, was, as it seems to me, the cause of his success. The prince had no authority left, but over his own demesnes; which were less considerable than the possessions of some of his nobles. HUGH had one of the largest fiefs: and for this reason, his usurpation added to the power of the crown, instead of lessening it, as is commonly imagined. But to bring back the feuds of the other nobles to their former precarious condition was a thing impossible: his authority was partly supported by superior wisdom, and partly by superior strength, his vassals being more numerous than those of any other lord.

I cannot tell if these foreigners, when they adopted the feudal plan, were immediately aware of all the consequences of it. An hereditary tenure was, doubtless, a prodigious acquisition; yet the advantage was something counter-balanced by the great number of impositions which the nature of the change brought with it. These impositions are what, in respect of the lord, are called his FRUITS of

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tenure; such as WARDSHIP, MARRIAGE, RELIEF, and other services: and were the necessary consequence of the king's parting with his arbitrary disposal of these tenures. For now that the right of inheritance was in the tenant, it seemed but reasonable, and, without this provision, the feudal policy could not have obtained its end, that the prince, in these several ways, should secure to himself the honour, safety, and defence, which the very nature of the constitution implied and intended. Hence hereditary feuds were very reasonably clogged with the obligations I have mentioned; which, though trifling in comparison with the disadvantages of a precarious tenure, were yet at least some check on the independency acquired. However, these services, which were due to the king under the new model, were also due to the tenant in chief from those who held of him by the like tenure. And so the barons, or great proprietaries of land, considering more perhaps the subjection of their own vassals, than that by which themselves were bound to their sovereign, reckoned these burdens as nothing, with respect to what they had gained by an hereditary succession.

The example of these *French* feudataries, we may suppose, would be catching. We ac-

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cordingly find it followed, in due time, in *Germany*; where CONRAD II.* granted the like privilege of *successive* tenures, and at the pressing instance of his tenants.

I thought it material to remind you of these things; because they prove the feudal institution on the continent to have been favourable to the cause of liberty; and because it will abate our wonder to find it so readily accepted and submitted to here in *England*.

MR. SOMERS.

The account you have given, and, I dare say, very truly, of the origin of feuds in *France* and *Germany*, is such as shews them to have been an extension of the people's liberty. There is no question that hereditary alienable estates have vastly the preference to beneficiary. But the case, I suspect, was different with us in *England*. The great offices of state, indeed, in this country, as well as in *France*, were beneficiary. But, if I do not mistake, the lands of the *English*, except only the church-lands, were all allodial. And I cannot

* CRAIG's *Jus feudale*, lib. i. p. 21. *Lond.* 1655.

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think it could be for the benefit of the *English* to change their old *Saxon* possessions, subject only to the famous triple obligation, for these new and burdensome tenures.

SIR J. MAYNARD.

Strange as it may appear, we have yet seen that the *French* did not scruple to make that exchange even of their allodial estates. But to be fair, there was a great difference, as you well observe, in the circumstances of the two people. All the lands in *England* were, I believe, allodial, in the *Saxon* times: while a very considerable proportion of those in *France* were beneficiary.

Another difference, also, in the state of the two countries, is worth observing. In *France*, the allodial lands (though considerable in quantity) were divided into small portions. In *England*, they seem to have been in few hands; the greater part possessed by the King and his *Thanes*; some smaller parcels by the lesser *Thanes*; and a very little by the *Ceorles*. The consequence was, that, though the allodial proprietors in *France* were glad to renounce their property for tenure, in order to secure

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the protection they much wanted; yet with us, as you say, there could not be any such inducement for the innovation. For, the lands being possessed in large portions by the nobility and gentry, the allodial lords in *England* were too great to stand in need of protection. Yet from this very circumstance, fairly attended to, we shall see that the introduction of the feudal tenures was neither difficult nor unpopular. The great proprietors of land were, indeed, too free and powerful, to be bettered by this change. But their tenants, that is, the bulk of the people, would be gainers by it. For these tenants were, I believe, to a man, beneficiaries. The large estates of the *Thanes* were granted out in small portions to others, either for certain quantities of corn or rent, reserved to the lord, or on condition of stipulated services. And these grants, of whichever sort they were, were either at pleasure, or at most for a limited term. So that, though the proprietors of land in *England* were so much superior to those in *France*; yet the tenants of each were much in the same state; that is, they possessed beneficiary lands on stipulated conditions.

When, therefore, by right of forfeiture, the greater part of the lands in *England* fell, as

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DIALOGUE V. they of course would do, into the power of the king (for they were in few hands, and those few had either fought at *Hastings*, or afterwards rebelled against him), it is easy to see that the people would not be displeased to find themselves, instead of beneficiary tenants [p], feudatary proprietors.

I say this on supposition that these great forfeited estates and signiories, so bountifully bestowed by the Conqueror on his favourite *Normans*, were afterwards, many of them at least, granted out in smaller parcels to *English* sub-tenants. But if these sub-tenants were also *Normans* (though the case of the *English* or old *Saxon* freeholders was then very hard), the change of allodial into feudatary estates is the more easily accounted for.

The main difficulty would be with the churchmen; who (though the greatest, and most of them were, perhaps, *Normans* too) were well acquainted with the *Saxon* laws, and for special reasons were much devoted to them. They

p This account of the *Saxon* benefices is much confirmed by the famous charter of Bishop OSWALD, and the comment of Sir H. SPELMAN upon it. See his discourse on FEUDS and TENURES.

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were sensible that their possessions had been held, in the *Saxon* times, in FRANC-ALMOIGN: a sort of tenure, they were not forward to give up for this of *feuds*. 'Tis true, the burdens of these tenures would, many of them, not affect them. But then neither could they reap the principal fruit of them, the fruit of inheritance. They, besides, considered every restraint on their privileges as impious; and took the subjection of the ecclesiastic to the secular power, which the feudal establishment was to introduce, for the vilest of all servitudes. Hence the churchmen were, of all others, the most averse from this law [q]. And their opposition might have given the Conqueror still more trouble, if the suppression of the great Northern rebellion had not furnished him with the power, and (as many of them had been deeply engaged in it) with the pretence, to force it upon them.

[q] MATTHEW PARIS gives us the following account of this matter — "Episcopatus et Abbatias omnes, quæ baronias tenebant, et eatenus ab omni servitute sæculari libertatem habuerant, sub servitute statuit militari, inrotulans singulos episcopatus et abbatias pro voluntate suâ, quot milites sibi et successoribus suis, hostilitatis tempore, voluit à singulis exhiberi. Et ROTULOS. HUJUS ECCLESIASTICÆ SERVITUTIS ponens in thesauris, multos viros ecclesiasticos HUIC CONSTITUTIONI PESSIMÆ reluctantes, à regno fugavit."

HIST. ANG. WILLIELMUS CONQUÆSTOR.

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DIALOGUE V. And thus, in the end, it prevailed universally, and without exception.

I would not go further into the history of these tenures. It may appear from the little I have said of them, that the feudal system was rather improved and corrected by the duke of NORMANDY, than originally planted by him in this kingdom: that the alteration made in it was favourable to the public interest; and that our *Saxon* liberties were not so properly restrained, as extended by it. It is of little moment to inquire whether the nation was won, or forced, to a compliance with this system. It is enough to say, that, as it was accepted by the nation, so it was in itself no servile establishment, but essentially founded in the principles of liberty. The duties of lord and feudatary were reciprocal and acknowledged: services on the one part, and protection on the other. The institution was plainly calculated for the joint-interest [r] of both parties, and the

[r] The learned CRAIG, who has written so largely and accurately on the feudal law, was so far from seeing any thing servile in it, that he says, "The foundations of this discipline are laid in the most generous of all considerations, those of GRATITUDE. *Hujus feudalis disciplinæ fundamenta à gratitudine et ingratitudine descendunt.*" EPIST. NUNCUP. to K. JAMES.

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benefit of the community; the proper notion of the feudal system being that "of a confederacy between a number of military persons, agreeing on a certain limited subordination and dependence on their chief, for the more effectual defence of his and their lives, territories, and possessions."

MR. SOMERS.

I have nothing to object to your account of the feudal constitution. And I think you do perfectly right, to lay the main stress on the general nature and genius of it; as by this means you cut off those fruitless altercations, which have been raised, concerning the personal character of the *Norman* Conqueror. Our concern is not with him, but with the government he established. And if that be free, no matter whether the founder of it were a tyrant. But, though I approve your method, I doubt there is some defect in your argument. *Freedom* is a term of much latitude. The *Norman* constitution may be free in one sense, as it excludes the sole arbitrary dominion of one man; and yet servile enough in another, as it leaves the government in few hands. For it follows, from what I understand of the feudal plan, that though its genius be indeed averse from abso-

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DIALOGUE V. lute monarchy, yet it is indulgent enough to absolute *aristocracy*. And the notion of each is equally remote from what we conceive of true *English* liberty.

SIR J. MAYNARD.

It is true, the proper feudal form, especially as established in this kingdom, was in a high degree oligarchical. It would not otherwise, perhaps, have suited to the condition of those military ages. Yet the principles it went upon, were those of public liberty, and generous enough to give room for the extension of the system itself, when a change of circumstances should require it.—But your objection will best be answered by looking a little more distinctly into the nature of these tenures.

I took notice that the feudal system subjected the CHURCH more immediately to the civil power: and laid the foundation of many services and fruits of tenure to which the LAY-FEUDATARIES in the *Saxon* times had been altogether strangers. It is probable that all the consequences of this alteration were not foreseen. Yet the churchmen were pretty quick-sighted. And the dislike, they had conceived

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of the new establishment, was the occasion of those struggles, which continued so long between the mitre and crown, and which are so famous more especially in the early parts of our history. The cause of these ecclesiastics was a bad one. For their aim was, as is rightly observed by the advocates for the prerogative, to assert an independency on the state; and for that purpose the pope was made a party in the dispute; by whose intrigues it was kept up in one shape or other till the total renunciation of the papal power. Thus far, however, the feudal constitution cannot be blamed. On the contrary, it was highly serviceable to the cause of liberty, as tending only to hold the ecclesiastic, in a due subordination to the civil, authority.

The same thing cannot be said of the other instance, I mean the *fruits of tenure*, to which the lay-fees were subjected by this system. For however reasonable, or rather necessary, those *fruits* might be, in a feudal sense, and for the end to which the feudal establishment was directed, yet, as the *measure* of these fruits, as well as the manner of exacting them, was in a good degree arbitrary, and too much left to the discretion of the sovereign, the practice, in this respect, was soon found b the tenants in

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chief to be an intolerable grievance. Hence that other contest, so memorable in our history, betwixt the king and his barons: in which the former, under the colour of maintaining his feudal rights, laboured to usurp an absolute dominion over the persons and properties of his vassals; and the latter, impatient of the feudal burdens, or rather of the king's arbitrary exactions under pretence of them, endeavoured to redeem themselves from so manifest an oppression.

It is not to be denied, that, in the heat of this contest, the barons sometimes carried their pretensions still further, and laboured in their turn to usurp on the crown, in revenge for the oppressions they had felt from it. However, their first contentions were only for a mitigation of the feudal system. It was not the character of the *Norman* princes to come easily into any project that was likely to give the least check to their pretensions. Yet the grievances, complained of, were in part removed, in part moderated, by HENRY the First's and many other successive charters: though the last blow was not given to these feudal servitudes till after the Restoration, when such of them as remained, and were found prejudicial to the liberty of the subject, were finally abolished.

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Thus we see that ONE essential defect in the feudal policy, considered not as a military, but civil institution, was, the too great power it gave the sovereign in the arbitrary impositions, implied in this tenure. ANOTHER was accidental. It arose from the disproportionate allotment of those feuds, which gave the greater barons an ascendant over the prince, and was equally unfavourable to the cause of liberty. For the bounty of the duke of NORMANDY, in his distribution of the forfeited estates and signiories to his principal officers, had been so immense[s], that their share of influence in the state was excessive, and intrenched too much on the independency of the crown and the freedom of the people. And this undue poize in the constitution, as well as the tyranny of our kings, occasioned the long continuance of those civil wars, which for many ages harrassed and dis-

[s] This bounty in so wise a prince as WILLIAM will be thought strange. I believe it may be, in part, accounted for, from what is observed above of the *Saxon* allodial lords. These had possessed immense estates. And, as they fell in upon forfeiture, the great *Norman* adventurers would of course expect to come into the entire succession! —Perhaps too, in that confusion of affairs, the prince might not always, himself, be apprized of the extent and value of these possessions.

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tressed the nation. The evil, however, in the end, brought on its own remedy. For these princely houses being much weakened in the course of the quarrel, HENRY VII. succeeded, at length, to the peaceable possession of the crown. And by the policy of this prince, and that of his successor, the barons were brought so low as to be quite disabled from giving any disturbance to the crown for the future.

It appears then that TWO great defects in the feudal plan of government, as settled amongst us, were, at length, taken away. But a THIRD, and the greatest defect of all, was the narrowness of the plan itself, I mean when considered as a system of CIVIL polity; for, in its primary martial intention, it was perfectly unexceptionable.

To explain this matter, which is of the highest importance, and will furnish a direct answer to Mr. SOMERS' objection, we are to remember that in the old feudal policy the king's barons, that is, such as held *in capite* of the crown by barony or knight's service, were the king's, or rather the kingdom's, great council. No public concerns could be regu-

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larly transacted, without their consent[t]; though the lesser barons, or tenants by knight's service, did not indeed so constantly appear in the king's court, as the greater barons; and though the public business was sometimes even left to the ordinary attendants on the king, most of them churchmen. It appears that, towards the end of the Conqueror's reign, the number of these tenants in chief was about 700; who, as the whole property of the kingdom was, in effect, in their power, may be thought a no unfit representative (though this be no proper *feudal* idea) of the whole nation. It was so, perhaps, in those rude and warlike times, when the strength of the nation lay entirely in the soldiery; that is, in those who held by military services, either immediately of the crown, or of the mesne lords. For the remainder of the people, whom they called tenants in socage, were of small account; being considered only in the light of servants, and contributing no otherwise to the national support than by their cultivation of the soil, which left their masters at leisure to attend with less

[t] The law of EDWARD the Confessor is express to this purpose, and it was ratified by the Conqueror—"Debet rex omnia ritè facere in regno et per judicium procerum regni." Sir H. SPELMAN of Parliaments, p. 58.

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distraction on their military services. At least, it was perfectly in the genius of the feudal, that is, military constitutions, to have little regard for any but the men of arms; and, as every other occupation would of course be accounted base and ignoble, it is not to be wondered that such a difference was made between the condition of *prædial* and *military* tenures.

However, a policy, that excluded such numbers from the rank and privileges of citizens, was so far a defective one. And this defect would become more sensible every day, in proportion to the growth of arts, the augmentation of commerce, and the security the nation found itself in from foreign dangers. The ancient military establishment would now be thought unjust, when the exclusive privileges of the swordsmen were no longer supported by the necessities of the public, and when the wealth of the nation made so great a part of the force of it. Hence arose an important change in the legislature of the kingdom, which was much enlarged beyond its former limits. But this was done gradually; and was more properly an extension than violation of the ancient system.

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First, the number of tenants in chief, or the king's freeholders, was much increased by various causes, but chiefly by the alienation which the greater barons made of their fees. Such alienation, though under some restraint, seems to have been generally permitted in the *Norman* feuds; I mean, till MAGNA CHARTA and some subsequent statutes laid it under particular limitations. But, whether the practice were regular or not, it certainly prevailed from the earliest times; especially on some more extraordinary occasions. Thus, when the fashionable madness of the CROISADES had involved the greater barons in immense debts, in order to discharge the expences of these expeditions, they alienated their fees, and even dismembered them; that is, they parted with their right in them, and made them over in small parcels to others, to hold of the superior lord. And what these barons did from necessity, the crown itself did, out of policy: for the *Norman* princes, growing sensible of the inconvenience of making their vassals too great, disposed of such estates of their barons as fell in to them by forfeiture, and were not a few, in the same manner. The consequence of all this was, that, in process of time, the lesser military tenants *in capite* multiplied exceedingly. And, as many of them were poor, and unequal to a personal atten-

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dance in the court of their lord, or in the common council of the kingdom (where of right and duty they were to pay their attendance), they were willing, and it was found convenient to give them leave, to appear in the way of *representation.* And this was the origin of what we now call THE KNIGHTS OF THE SHIRES; who, in those times, were appointed to represent, not all the free-holders of counties, but the lesser tenants of the crown only. For these not attending in person, would otherwise have had no place in the king's council.

The rise of CITIZENS AND BURGESSES, that is, representatives of the cities and trading towns, must be accounted for somewhat differently. These had originally been in the jurisdiction, and made part of the demesnes, of the king and his great lords. The reason of which appears from what I observed of the genius of the feudal policy. For, little account being had of any but martial men, and trade being not only dishonourable, but almost unknown in those ages; the lower people, who lived together in towns, most of them small and inconsiderable, were left in a state of subjection to the crown, or some other of the barons, and exposed to their arbitrary impositions and talliages.

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But this condition of burghers, as it sprang from the military genius of the nation, could only be supported by it. When that declined therefore, and, instead of a people of soldiers, the commercial spirit prevailed, and filled our towns with rich traders and merchants, it was no longer reasonable, nor was it the interest of the crown, that these communities and bodies of men should be so little regarded. On the contrary, a large share of the public burdens being laid upon them, and the frequent necessities of the crown, especially in foreign wars, or in the king's contentions with his barons, requiring him to have recourse to their purses, it was naturally brought about that those, as well as the tenants *in capite*, should, in time, be admitted to have a share in the public councils.

I do not stay to trace the steps of this change. It is enough to say, that it arose insensibly and naturally out of the growing wealth and consequence of the trading towns; the convenience the king found in drawing considerable sums from them, with greater ease to himself, and less offence to the people; and, perhaps, from the view of lessening by their means the exorbitant power and influence of the barons.

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From these, or the like reasons, the great towns and cities, that before were royal demesnes, part of the king's private patrimony, and talliable by him at pleasure, were allowed to appear in his council by their deputies, to treat with him of the proportion of taxes to be raised on them, and, in a word, to be considered in the same light as the other members of that great assembly.

I do not inquire when this great alteration was first made. I find it subsisting at least under EDWARD III. And from that time, there is no dispute but that the legislature, which was originally composed of the sovereign and his feudal tenants, included also the representatives of the counties, and of the royal towns and cities. To speak in our modern style, the HOUSE OF COMMONS was, now, formed. And by this addition, the glorious edifice of *English* liberty was completed.

I am sensible, I must have wearied you with this deduction, which can be no secret to either of you. But it was of importance to shew, that the constitution of *England*, as laid in the feudal tenures, was essentially free; and that the very changes it hath undergone, were the natural and almost unavoidable effects of those

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tenures. So that what the adversaries of liberty object to us, as usurpations on the regal prerogative, are now seen to be either the proper result of the feudal establishment, or the most just and necessary amendments of it.

BP. BURNET.

I have waited with much pleasure for this conclusion, which entirely discredits the notion of an absolute, despotic government. I will not take upon me to answer for Mr. SOMERS, whose great knowledge in the laws and history of the kingdom enables him to see further into the subject than I do; but to me nothing appears more natural or probable than this account of the rise and progress of the *English* monarchy. One difficulty, in particular, which seemed to embarrass this inquiry, you have entirely removed, by shewing how, from the aristocratical form which prevailed in the earlier times, the more free and popular one of our days hath gradually taken place, and that without any violence to the antient constitution [u].

[u] M. DE MONTESQUIEU observes of the Gothic government—" Il fut d'abord melé de l'aristocratie, et de la monarchie. Il avoit cet inconvenient, que le bas-peuple

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MR. SOMERS.

At least, my lord, with so little, that we may, perhaps, apply to the *English* government what the naturalists observe of the HUMAN BODY[w]; that, when it arrives at its full growth, it does not perhaps retain a single particle of the matter it originally set out with; yet the alteration hath been made so gradually and imperceptibly, that the system is accounted the same under all changes. Just so, I think, we seem to have shaken off the constituent parts of the FEUDAL CONSTITUTION; but, liberty having been always the informing principle, time and experience have rather completed the old system, than created a new one: and we may account the present and *Norman* establishment all one, by the same rule as we say that HERCULES, when he became the deliverer of oppressed nations, was still the same with him who had strangled serpents in his cradle.

"y étoit esclave: *C'étoit un bon gouvernment, qui avoit en "soi la capacité de devenir meilleur.*" [l. xi. c. 8.]—the very idea, which is here inculcated.

w See old FORTESCUE, in his book *De laudibus legum Angliæ*, where this sort of analogy is pursued at length through a great part of the XIIIth chapter.

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SIR J. MAYNARD.

I know not what fanciful similes your younger wit may delight in. I content myself with observing, that the two great points, which they, who deny the liberty of the subject, love to inculcate, and on which the plausibility of all their reasonings depends, are, THE SLAVISH NATURE OF THE FEUDAL CONSTITUTION, and THE LATE RISE OF THE HOUSE OF COMMONS. And I have taken up your time to small purpose, if it doth not now appear, that the *former* of these notions is false, and the *latter* impertinent. If the learned inquirers into this subject had considered that the question is concerning the freedom itself of our constitution, and not the most convenient form under which it may be administered, they must have seen that the feudal law, though it narrowed the system of liberty, was founded in it; that the spirit of freedom is as vital in this form, and the principles it goes upon as solid, as in the best-formed republic; and that *villanage* concludes no more against the *feudal*, than *slavery* against the *Greek* or *Roman*, constitutions.

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MR. SOMERS.

That is, Sir JOHN, you make *liberty* to have been the essence of all THREE; though, to the perfection of an equal commonwealth, you suppose it should have been further spread out and dilated: as they say of *frankincense* (if you can forgive another allusion), which, when lying in the lump, is of no great use or pleasure; but, when properly diffused, is the sweetest of all odours. But you was going on with the application of your principles.

SIR J. MAYNARD.

I was going to say that, as many have been misled by wrong notions of the *feudal tenures*, others had erred as widely in their reasonings on *the late origin of the lower house of parliament*. How have we heard some men triumph, in dating it no higher than the reign of EDWARD III? Let the fact be admitted. What follows? That this house is an usurpation on the prerogative? Nothing less. It was gradually brought forth by time, and grew up under the favour and good liking of our

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princes [x]. The constitution itself supposed the men of greatest consequence in the commonwealth to have a seat in the national councils. Trade and agriculture had advanced vast numbers into consequence, that before were of small account in the kingdom. The public consideration was increased by their wealth, and the public necessities relieved by it. Were these to remain for ever excluded from the king's councils? or was not that council, which had liberty for its object, to widen and expand itself in order to receive them? It did, in fact, receive them with open arms; and, in so doing, conducted itself on the very principles of the old feudal policy.

In short, the *feudal constitution*, different from all others that human policy is acquainted with, was of such a make, that it readily gave way, and fitted itself to the varying situations of society: narrow and contracted, when the public interest required a close connexion between the governor and the governed; large

[x] Agreeably to what Sir H. SPELMAN asserts, in his Glossary, of its parent, the *feudal law* itself; "DE LEGE FEUDALI — pronunciandum censeo, TEMPORIS eam esse filiam, sensimque succrescentem, EDICTIS PRINCIPUM auctam indies et excultam." In voce FEODUM.

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and capacious, when the same interest required that connexion to be loosened. Just as the skin (if you will needs have a comparison), the natural cincture of the body, confines the young limbs with sufficient tightness, and yet widens in proportion to their growth, so as to let the the different parts of the body play with ease, and obtain their full size and dimensions. Whereas the other policies, that have obtained in the world, may be compared to those artificial coverings, which, being calculated only for one age and size, grow troublesome and insupportable in any other; and yet cannot, like these, be thrown off and supplied by such as are more suitable and convenient; but are worn for life, though with constant, or rather increasing, uneasiness.

This then being the peculiar prerogative of the feudal policy, I think we may say with great truth, not that the House of Commons violated the constitution, but, on the contrary, that the constitution itself demanded, or rather generated, the House of Commons.

So that I cannot by any means commend the zeal which some have shewn in seeking the origin of this house in the *British* or even

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Saxon annals. Their aim was, to serve the cause of liberty; but, it must be owned, at the expence of truth, and, as we now perceive, without the least necessity.

BP. BURNET.

It hath happened then in this, as in so many other instances, that an excellent cause hath suffered by the ill judgment of its defenders. But, when truth itself had been disgraced by one sort of men in being employed by them to the worst purposes, is it to be wondered that others should not acknowledge her in such hands, but be willing to look out for her in better company?

SIR J. MAYNARD.

Let us say, my lord, they should have acknowledged her in whatever company she was found; and the rather, as ill-applied truths are seen to be full as serviceable to a bad cause, as downright falsehoods. Besides, this conduct had not only been fairer, but more politic. For when so manifest a truth was rejected, it was but natural to suspect foul play in the rest,

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DIALOGUE V. and that none but a bad cause could want to be supported by so disingenuous a management.

MR. SOMERS.

I think so, Sir JOHN; and there is this further use of such candor, that it cuts off at once the necessity of long and laboured researches into the dark parts of our history; and so not only shortens the debate, but renders it much more intelligible to the people.

SIR J. MAYNARD.

I was aware of that advantage, and am therefore not displeased that truth allowed me to make use of it.—But to resume the main argument; for I have not yet done with my evidence for the freedom of our excellent constitution:—It seemed of moment to shew, from the nature and consequences of the *Norman* settlement, that the *English* government was essentially free. But, because the freest form of government may be tamely given up and surrendered into the hands of a master, I hold it of consequence to prove, that the *English* spirit hath always been answerable to the con-

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stitution, and that even the most insidious attempts on their liberties have never failed to awaken the resentment of our generous forefathers. In a word, I would shew that the jealousy, with which the *English* have ever guarded the national freedom, is at once a convincing testimony of their *right*, and of their constant *possession* of it.

And though I might illustrate this argument by many other instances, I chuse to insist only ON ONE, THEIR PERPETUAL OPPOSITION TO THE CIVIL AND CANON LAWS; which, at various times and for their several ends, the crown and church have been solicitous to obtrude on the people.

To open the way to this illustration, let it be observed that, from the time of HONORIUS, that is, when the *Roman* authority ceased amongst us, the *Saxon* institutions, incorporated with the old *British* customs, were the only standing laws of the kingdom. These had been collected and formed into a sort of digest by EDWARD the Confessor; and so great was the nation's attachment to them, that WILLIAM himself was obliged to ratify them, at the same time that the feudal law itself was enacted. And afterwards, on any attempt to

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DIALOGUE V.

innovate on those laws, we hear of a general outcry and dissatisfaction among the people: which jealousy of theirs was not without good grounds; as we may see from an affair that happened in the Conqueror's own reign, and serves to illustrate the policy of this monarch.

It had been an old custom, continued through the *Saxon* times, for the bishops and sheriffs to sit together in judicature in the county courts. This had been found a very convenient practice; for the presence of the churchmen gave a sanction to the determinations of the temporal courts, and drew an extraordinary reverence towards them from the people. Yet we find it abolished by the Conqueror; who, in a rescript to the bishop of *Lincoln*, ordained that, for the future, the bishops and aldermen of the shires should have separate courts and separate jurisdictions. The pretence for this alteration was the distinct nature of the two judicatures, and the desire of maintaining a strict conformity to the canons of the church. The real design was much deeper. There is no question but WILLIAM's inclinations, at least, were for arbitrary government; in which project his *Norman* lawyers, it was hoped, might be of good use to him. But there was a great

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obstacle in his way. The churchmen of those times had incomparably the best knowledge of the *Saxon* laws. It matters not, whether those churchmen were *Normans*, or not. They were equally devoted, as I observed before, to the *Saxon* laws, with the *English*; as favouring that independency, they affected, on the civil power. Besides, in the Confessor's time, many and perhaps the greatest of the churchmen had been *Normans*; so that the study of the *Saxon* laws, from the interest they promised themselves in them, was grown familiar to the rising ecclesiastics of that country. Hence, as I said, the churchmen, though *Normans*, were well instructed in the spirit and genius of the *Saxon* laws; and it was not easy for the king's glossers to interpret them to their own mind, whilst the bishops were at hand to refute and rectify their comments.

Besides, the truth is (and my lord of SALISBURY will not be displeased with me for telling it), the ecclesiastics of that time were much indevoted to the court. They considered the king as the wickedest of all tyrants. He had brought them into subjection by their baronies, and had even set the pope himself at defiance. In this state of things, there was no hope of engaging the clergy in his plot. But when a

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DIALOGUE V. separation of the two tribunals was made, and the civil courts were solely administered by his own creatures, the laws, it was thought, would speak what language he pleased to require of them.

Such appears to have been the design of this prince in his famous distinction of the ecclesiastic and temporal courts. It was so artfully laid, and so well coloured, that the laity seem to have taken no umbrage at it. But the clergy saw his drift; and their zeal for the ancient laws, as well as their resentments, put them upon contriving methods to counteract it. They hit upon a very natural and effectual one. In a word, they all turned common lawyers; and so found means of introducing themselves into the civil courts. This expedient succeeded so well, and was so generally relished, that the clergy to a man almost in the next reign were become professors of the common law; NULLUS CLERICUS NISI CAUSIDICUS, as WILLIAM of *Malmesbury* takes care to inform us [y].

[y] DISS. AD FLET. 1091. and WILLIAM OF MALMESBURY, lib. iv. 1. 69. *Lond.* 1596.

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BP. BURNET.

Whatever their motive might be, the churchmen, I perceive, interposed very seasonably in the support of our civil liberties. It was a generous kind of revenge, methinks, to repay the king's tyranny over the church by vindicating the authority of the *English* laws.

SIR J. MAYNARD.

It was so; and for this good service, I let them pass without any harsher reflection. Though the true secret is, perhaps, no more than this: Their main object was the church, of whose interests, as is fitting, we will allow them to be the most competent judges. And, as these inclined them, they have been, at different junctures, the defenders or oppressors of civil liberty.

BP. BURNET.

At *some* junctures, it may be, they have. But, if you insist on so general a censure, I must intreat Mr. SOMERS, once more, to take upon him the defence of our order.

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DIALOGUE V.

SIR J. MAYNARD.

All I intended by this instance, was, to shew the spirit of the *Saxon* laws, which could excite the jealousy of the prince, and deserve, at such a season, the patronage of the clergy. It seems, however, for once, as if they had a little misconceived their true interests. For the distinction of the two judicatures, which occasioned their resentment, was, in the end, a great means of the hierarchical greatness and independency.

Matters continued on this footing during the three first of the *Norman* reigns. The prince did his utmost to elude the authority of the *English* laws; and the nation, on the other hand, laboured hard to confirm it. But a new scene was opened under King STEPHEN, by means of the *Justinian* laws; which had lately been recovered in *Italy*, and became at once the fashionable study over all *Europe*. It is certain, that the Pandects were first brought amongst us in that reign; and that the reading of them was much favoured by Archbishop THEOBALD [z], under whose encouragement they

[z] SELDEN's Works, vol. ii. p. 1082.

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were publicly read in *England* by VACARIUS, within a short time after the famous IRNERIUS had opened his school at *Bologna*. There is something singular in the readiness with which this new system of law was embraced in these Western parts of *Europe*. But my friend Mr. SELDEN used to give a plausible account of it. It was, he said [a], in opposition to INNOCENT II, who was for obtruding on the Christian states the *decretals*, as laws; manifestly calculated for the destruction of the civil magistrate's power. And what seems to authorize the opinion of my learned friend, is, that the popes very early took the alarm, and, by their decrees, forbad churchmen to teach the civil law: as appears from the constitution of ALEXANDER III, so early as the year 1163, in the council of TOURS; and afterwards from the famous decretal of SUPER-SPECULA by HONORIUS III, in 1219, in which the clergy of all denominations, seculars as well as regulars, were prohibited the study of it. And it was, doubtless, to defeat the mischief which the popes apprehended to themselves, from the credit of the imperial laws, that GRATIAN was encouraged, about the same time, to compose and publish his DECREE; which, it is even

[a] DISS. AD FLET. 1078.

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said [b], had the express approbation of Pope EUGENIUS.

Let us see, now, what reception this newly-recovered law, so severely dealt with by the pope, and so well entertained by the greatest part of *Europe*, had in *England*.

VACARIUS had continued to teach it for some time, in the archbishop's palace at *Lambeth*, to great numbers, whom first, the novelty of the study, and then, the fashion of the age, had drawn about him. The fame of the teacher was high, and the new science had made a great progress, when on a sudden it received a severe check, and from a quarter whence one should not naturally expect it. In short, the king himself interdicted the study of it. Some have imagined, that this inhibition was owing to the spite he bore to archbishop THEOBALD. But the truer reason seems to be, that the canon law was first read by VACARIUS at the same time, and under colour of the imperial. I think we may collect thus much very clearly from JOHN OF SALISBURY, who acquaints us with this edict. For he considers it as an

[b] Dr. DUCK, *De usu et authoritate juris civilis*, p. 103. *Lugd. Batav.* 1654.

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offence against the church, and expressly calls the prohibition, an IMPIETY [c]. DIALOGUE V.

It is true, the decretals of GRATIAN were not yet published. But Ivo had made a collection of them in the reign of HENRY I; and we may be sure that some code of this sort would privately go about amongst the clergy, from what was before observed of the pains taken by INNOCENT II, to propagate the decretals. We may further observe, that THEOBALD had been in high favour with INNOCENT; and that his school, at *Lambeth*, was opened immediately on his return from *Rome*, whither he had been to receive his pall from this pope, on his appointment to the see of *Canterbury* [d]. All which makes it probable, that STEPHEN's displeasure was not so much at the civil, as *canon* law, which he might well conclude had no friendly aspect on his sovereignty.

And we have the greater reason to believe that this was the fact, from observing what afterwards happened in the reign of HENRY III, when a prohibition of the same nature was again issued out against the teachers of the

[c] POLICRATIC. lib. viii. c. 22. p. 672. *Lugd. Bat.* 1639.
[d] DISS. AD FLET. 1082.

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DIALOGUE V.

Roman laws in *London* [e]. The true cause of the royal mandate is well known. GREGORY IX had just then published a new code of the decretals; which, like all former collections of this sort, was calculated to serve the papal interest, and depress the rights of princes.

However, these edicts, if we suppose them levelled against the civil law, had no effect, any more than those of the popes ALEXANDER and HONORIUS, before mentioned. For the imperial law, being generally well received by the princes of *Europe*, presently became a kind of *Jus gentium*. And the clergy, who aspired to power and dignities, either abroad or at home, studied it with an inconceivable rage; insomuch, that ROGER BACON tells us, that, in his time for forty years together, the seculars, who were the ecclesiastics employed in business, never published a single treatise in divinity [f].

The truth is, whatever shew the popes or our own princes might make, at times, of discountenancing the civil law, it was not the design of either absolutely and universally to suppress it. It was properly, not the civil, but

[e] DISS. AD FLET. 1097. [f] DR. DUCK, p. 384.

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the canon law, which was discountenanced by our kings. And the case of the popes was, that, when they found the imperial law opposed to the *common*, they were ready to favour it; when it was opposed to the *canon*, and brought that into neglect, they forbad ecclesiastics the study of it.

MR. SOMERS.

In the mean time the poor people, methinks, were in a fine condition, between two laws, the one founded on civil, and the other on ecclesiastical, tyranny. If either had prevailed, there had been an end of their liberties.

SIR J. MAYNARD.

Certainly their situation was very critical. Yet in the end it was precisely this situation that saved them. For betwixt these contentions of the crown and mitre, each endeavouring to extend its dominion over the other, the people, who were of course to be gained by either side in its distress, found means to preserve themselves from both.

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DIALOGUE V.

To see how this happened, we must remember, what appears indeed from the two edicts of STEPHEN and HENRY, that the king himself was a bulwark betwixt them and the papal power. And when the king in his turn wanted to exalt his prerogative over all, the church very naturally took the alarm, as we saw in the case of WILLIAM's separation of the two tribunals. And thus it happened, as NAT. BACON observes [g], "That many times the pope and the clergy became protectors of the people's liberties, and kept them safe from the rage of kings." The greatest danger was, when the two powers chanced to unite in one common design against them; as they did in their general inclination for the establishment of the civil law. But here the people had the courage always to defend themselves; and with that wisdom too, as demonstrates their attention to the cause of civil liberty, and the vigilance with which they guarded even its remotest outworks.

Of their steady and watchful conduct, in this respect, I shall mention some of the many memorable examples, that occur in our history.

g DISC. Part I. p. 78. *Lond.* 1739.

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I have said that from the time of STEPHEN, notwithstanding his famous edict, the imperial laws were the chief and favourite study of the clergy. They had good reason for applying themselves so closely to this science, and still further views than their own immediate advancement. They wanted to bring those laws into the civil courts, and to make them the standing rule of public administration; not merely from their good-will to the papal authority, which would naturally gain an advantage by this change, but for the sake of controlling the too princely barons, and in hopes, no doubt, that the imperial would in due time draw the canon laws into vogue along with them. Such, I think, were at least the secret designs of the ruling clergy; and they did not wait long before they endeavoured to put their project in execution. The plot was admirably laid, and with that deep policy as hath kept it, I believe, from being generally understood to this day.

The great men of that time were, we may be sure, too like the great men of every other, to be very scrupulous about the commission of those vices to which they were most inclined. The truth is, their profligacy was in proportion

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DIALOGUE V.

to their greatness and their ignorance. They indulged themselves in the most licentious amours, and even prided themselves in this licence. The good churchmen, no doubt, lamented this corruption of manners; but, as they could not reform, they resolved at least to draw some emolument to themselves from it. The castles of the barons, they saw, were full of bastards. Nay, the courtesy of that time had so far dignified their vices, that the very name was had in honour. EGO GULIELMUS BASTARDUS, is even the preamble to one of WILLIAM the First's charters.

Yet, as respectable as it was become, there was one unlucky check on this favourite indulgence: and this, with the barons leave, the considerate bishops would presently take off. Subsequent marriage, by the imperial as well as canon laws, legitimated bastards, as to succession; whereas the common law kept them eternally in their state of bastardy. It is not to be doubted, but the barons would be sensible enough of this restraint. They earnestly wished to get rid of it. And could any thing bid so fair to recommend the imperial law to their good liking, as the tender of it for so desirable a purpose? At a parliament, therefore, under

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HENRY III[h], *Rogaverunt omnes episcopi, ut consentirent quod nati ante matrimonium essent legitimi.* What think ye now of this general supplication of the hierarchy? What could the barons do but comply with it, especially as it was so kindly intended for their relief, and the proposal was even made with a delicacy that might enable them to come into it with a good grace, and without the shame of seeming to desire it? All this is very true. Yet the answer of the virtuous barons is as follows: *Omnes comites et barones unâ voce responderunt*, QUOD NOLUMUS LEGES ANGLIÆ MUTARI.

We see then what stuck with them. These barons, as licentious as they were, preferred their liberty to their pleasure. The bishops, they knew, as partisans of the pope, were for subjecting the nation to the imperial and papal laws. They offered, indeed, to begin with a circumstance very much to their taste. But if they accepted the benefit of them in one instance, with what decency could they object to them in others? They determined therefore to be consistent. They rejected a proposition, most agreeable in itself, lest their acceptance

h At MERTON, in the year 1236.

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DIALOGUE V.

of it should make way for the introduction of foreign laws; whose very genius and essence, they well knew, was arbitrary, despotic power. Their answer speaks their sense of this matter, NOLUMUS LEGES ANGLIÆ MUTARI. They had nothing to object to the proposal itself. But they were afraid for the constitution.

MR. SOMERS.

I doubt, Sir JOHN, my lord of SALISBURY will bring a fresh complaint against you, for this liberty with the bishops. But I, who shall not be thought wanting in a due honour for that bench, must needs confess myself much pleased, as well with the novelty, as justice of this comment. I have frequently considered this famous reply of the old barons. But I did not see to the bottom of the contrivance. Their aversion to the imperial laws, as you say, must have been very great, to have put them on their guard against so inviting a proposal.

BP. BURNET.

One thing, however, is forgotten or dissembled in this account, that the law of Jus-

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TINIAN, which allows the privilege of legitimation to subsequent marriage, is grounded on some reasons that might, perhaps, recommend it to the judgment, as well as interest of the old prelates. Besides, they doubtless found themselves much distressed by the contrariety of the two laws in this instance. For the ground of their motion, as I remember, was, *Quod esset secundum communem formam ecclesiæ.* But, to deal ingenuously with you, Sir JOHN, you have dressed up your hypothesis very plausibly. And I, who am no advocate for the civil or ecclesiastical laws, in this or any instance where they clash with those of my country, can allow your raillery on HENRY's good bishops, if it were only that I see it makes so much for your general argument.

SIR J. MAYNARD.

Your lordship may the rather excuse this liberty with the *church*, as I propose, in due time, to deal as freely with WESTMINSTER-HALL; a similar plot, which I shall have occasion to mention presently, having been formed against the ancient constitution by the men of our profession.

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MR. SOMERS.

In the mean time, Sir JOHN, you must give me leave, in quality of advocate for the church, to observe one thing, that does the churchmen honour. It is, that, in these attempts on the constitution, the judges and great officers of the realm, who in those times were of the clergy, constantly took the side of the *English* laws; as my Lord COKE himself, I remember, takes notice in his commentary on this statute of MERTON.

SIR J. MAYNARD.

I believe the observation is very just. But I should incline to impute this integrity, not to the influence of church principles, but those of the common law, and so turn your compliment to the honour of our profession instead of theirs, if it were not too clear in fact that every profession, in its turn, hath been liable to this charge of corruption.

But I was going on with my proofs of the national aversion to the imperial law.

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The next shall be taken from that famous dispute concerning the succession to the crown of *Scotland* in the reign of EDWARD I. For a question arising about the kind of law by which the controversy should be decided, and it being especially debated, whether the *Cæsarean* law, as a sort of *jus gentium*, ought not in such a cause to have the preference to the law of *England*; it was then unanimously determined by the great council of NORHAM, that the authority of the *Cæsarean* law should by no means be admitted; NE INDE MAJESTATIS ANGLICANÆ JURI FIERET DETRIMENTUM[i].

This determination was public, and given on a very solemn occasion. And in general we may observe, that at the junctures when the state hath been most jealous of its liberty and honour, it hath declared the loudest against the *imperial laws*: as in the WONDER-WORKING parliament under RICHARD II, when the duke of *Gloucester* accused the archbishop of *York*, the duke of *Ireland*, and other creatures of the king, of high treason. The charge was so fully proved, that the court had no other way of diverting the storm, than by pretending an irregularity in the forms of pro-

[i] DISS. AD FLET. 1108.

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DIALOGUE V.

cedure. To this end the lawyers were consulted with, or more properly directed. I will disguise nothing. They descended so much from the dignity of their profession, as to act in perfect subserviency to the views of the court; and therefore gave it as their opinion, that the proceedings against the lords were of no validity, as being contrary to the forms prescribed by the *civil law*. The barons took themselves to be insulted by these shifts of the lawyers. They insisted that the proceedings were agreeable to their own customs, and declared roundly that they would never suffer *England* to be governed by the *Roman* civil law [k].

What think ye now of these examples? Are they not a proof that the spirit of liberty ran high in those times, when neither the intrigues of churchmen nor the chicane of lawyers could put a stop to it? It seems as if no direct attempts on the constitution could have been made with the least appearance of success; and that therefore the abettors of arbitrary power were obliged to work their way obliquely, by contriving methods for the introduction of a foreign law.

[k] See FORTESCUE, *De laudibus leg. Angl.* p. 74. *Lond.* 1741; and SELDEN'S JANUS ANGLORUM, 1610, vol. ii. tom. ii.

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In this project they had many advantages, which nothing but an unwearied zeal in the cause of liberty could have possibly counteracted. From the reign of STEPHEN to that of EDWARD III, that is, for the space of near 200 years, the *Roman* law had been in great credit[l]. All the learning of the times was in the clergy, and that learning was little more than the imperial and canon laws. The fact is so certain, that some of the clergy themselves, when in an ill temper, or off their guard, complain of it in the strongest terms. And to see the height to which this humour was carried, not the seculars only who intended to rise by them, but the very monks in their cells studied nothing but these laws[m]. To complete the danger, the magistracies and great offices of the kingdom were filled with churchmen[n]. DIALOGUE V.

Who would expect, now, with those advantages, but that the *Roman* law would have forced its way into our civil courts? It did indeed insinuate itself there as it were by stealth, but could never appear with any face of authority. The only service, that would be

l DISS. AD FLET. 1104.
m Dr. DUCK, p. 365.
n DISS. AD FLET. 1010.

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DIALOGUE V.

accepted from it, was that of illustration only in the course of their pleadings, whilst the lawyers quoted occasionally from the INSTITUTES, just as they might have done from any other ancient author[o]. Yet, so long as the churchmen presided in the courts of justice, this intruder was to be respected; and it is pleasant to observe the wire-drawing of some of our ablest lawyers, in their endeavours to make the policy of *England* speak the language of *Rome*.

Mr. SELDEN's dissertation on FLETA[p], which lies open before me, affords a curious instance. The civil law says, "Populus ei [Cæsari] et in eum omne suum imperium et potestatem conferat;" meaning by *people*, the *Roman* people, and so establishing the despotic rule of the prince. But BRACTON took advantage of the ambiguity, to establish that maxim of a free government, "That all dominion arises from the people." This, you will say, was good management. But what follows is still better. "Nihil aliud, says he, potest rex in terris, cum sit Dei minister et vicarius, nisi quod JURE potest. NEC OBSTAT quod dicitur, QUOD PRINCIPI PLACET LEGIS HABET VIGOREM; quia sequitur in fine legis, CUM LEGE REGIA QUÆ

[o] DISS. AD FLET. 1106. [p] P. 1046.

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DE IMPERIO EJUS LATA EST; id est, non quicquid de voluntate regis temerè præsumptum est, sed quod consilio magistratuum suorum, rege auctoritatem præstante, et habitâ super hoc deliberatione et tractatu, rectè fuerit definitum." Thus far old BRACTON; who is religiously followed in the same gloss by THORNTON, and the author of FLETA. But what! you will say, this is an exact description of the present constitution. It is so, and therefore certainly not to be found in the civil law. To confess the truth, these venerable sages are playing tricks with us. The whole is a premeditated falsification, or, to say it softer, a licentious commentary, for the sake of *English* liberty. The words in the PANDECTS and INSTITUTIONS are these; "QUOD PRINCIPI PLACUIT, LEGIS HABET VIGOREM, UTPOTE CUM LEGE REGIA, QUÆ DE IMPERIO EJUS LATA EST, POPULUS EI ET IN EUM OMNE SUUM IMPERIUM ET POTESTATEM CONFERAT."

My honest friend, in mentioning this extraordinary circumstance, says, one cannot consider it *sine stupore*. He observes, that these lawyers did not quote the Pandects by hearsay, but had copies of them; and therefore adds (for I will read on) "Unde magis mirandum quânam ratione evenerit, ut non solùm

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DIALOGUE V. ipse, adeò judiciis forensibus clarus, et (si Biographis scriptorum nostratium fides) professor juris utriusque Oxoniensis, verùm etiam THORNTONIUS juris aliàs peritissimus, et FLETÆ author, adeò diversam lectionem, sensumque diversum atque interpretibus aliis universis adeò alienum in illustrissimo juris Cæsarei loco explicando tam fidentèr admiserint." The difficulty, you see, increases upon him. But we shall easily remove it by observing, that the Cæsarean laws, though they had no proper authority with us, yet were much complimented in those times, and were to be treated on all occasions with ceremony. And therefore those lawyers that lived under and wanted to support a free constitution, saw there was no way of serving their cause so effectually, as by pretending to find it in the *Roman institutes*.

MR. SOMERS.

This management of BRACTON and his followers makes some amends for the ill conduct of RICHARD the Second's lawyers. And as to their chicanery, the ingenuity of the gloss, we will suppose, was no more than necessary to correct the malignity of the text.

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SIR J. MAYNARD.

They had, no doubt, consulted their honour much more, by insisting roundly, as they might have done, that the text had no concern at all in the dispute. But I mention these things only to shew the extreme reverence, that was then paid to the civil law, by the shifts the common lawyers were put to in order to evade its influence. From which we learn how rooted the love of liberty must have been in this nation, and how unshaken the firmness of the national councils in supporting it, when, notwithstanding the general repute it was of in those days, the imperial law could never gain authority enough to prescribe to us in any matters that concerned the rights of the crown, or the property of the subject. And this circumstance will be thought the more extraordinary, if it be considered, that, to the general esteem in which the *Roman* law was held by the clergy, our kings have usually added the whole weight of their influence; except indeed at some particular junctures, when their jealousy of the *canon* law prevailed over their natural bias to the *civil*.

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MR. SOMERS.

I should be unwilling to weaken any argument you take to be of use in maintaining the noble cause you have undertaken. But, methinks, this charge on our princes would require to be made out by other evidence [q] than hath been commonly produced for it. There is no doubt but many of them have aimed at setting themselves above the laws of their country; but is it true (I mean, though FORTESCUE himself [r] has suggested the same thing) that for this purpose they have usually expressed a partiality to the *Roman* laws?

SIR J. MAYNARD.

I believe it certain that they have, and on better reasons than the bare word of any lawyer whatsoever.

What think you of RICHARD the Second's policy in the instance before mentioned; that RICHARD, who used to declare, "That the

[q] Mr. SELDEN's DISS. AD FLET. 1100.

[r] *De laud. leg. Ang.* c. 33, 34.

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laws were only in his mouth and breast, and that he himself could make and unmake them at his pleasure?" We may know for what reason a prince of this despotic turn had recourse to the *Roman* law.

But even his great predecessor is known to have been very indulgent towards it. And still earlier, EDWARD I. took much pains to establish the credit of this law; and to that end engaged the younger ACCURSIUS, the most renowned doctor of the age, to come over into *England*, and set up a school of it at *Oxford*. Or, to wave these instances, let me refer you to a certain and very remarkable fact, which speaks the sense, not of this or that king, but of the whole succession of our princes.

The imperial law, to this day, obtains altogether in the courts of admiralty, in courts marescall, and in the universities[s]. On the contrary, in what we call the courts of law and equity, it never hath, nor ever could prevail. What shall we say to this remarkable difference? or to what cause will you ascribe it, that this law, which was constantly excluded with such care from the one sort of courts,

[s] DISS. AD FLET. 1102.

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should have free currency and be of sole authority in the other? I believe it will be difficult to assign any other than this: that the subjects of decision in the first species of courts are matters in the resort of the king's prerogative, such as peace and war, and the distribution of honours; whilst the subjects of decision in the courts of common law are out of his prerogative, such as those of liberty and property. The king had his choice by what law the first sort of subjects should be regulated; and therefore he adopted the imperial law. He had not his choice in the latter instance; and the people were never satisfied with any other than the law of the land.

MR. SOMERS.

Yet Mr. SELDEN, you know, gives another reason of this preference: it was, he thinks, because foreigners are often concerned with the natives in those tribunals where the civil law is in use.

SIR J. MAYNARD.

True; but my learned friend, as I conceive, did not attend to this matter with his usual exactness. For foreigners are as frequently

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concerned in the courts of law and equity, as in the other tribunals. The case in point of reason is very clear. In all contests that are carried on between a native and a foreigner, as the subject of another state, the decision ought to be by the law of nations. But when a foreigner puts himself with a native under the protection of our state, the determination is, of course, by our law. The practice hath uniformly corresponded to the right in the courts of law and equity. In the other tribunals the right hath given way to the will of the prince, who had his reasons for preferring the authority of the imperial law.

Upon the whole, if we consider the veneration, which the clergy usually entertained, and endeavoured to inculcate into the people, for the civil law; the indulgence shewn it by the prince; its prevalence in those courts which were immediately under the prerogative; and even the countenance shewn it at times in the course of pleading at common law; we cannot avoid coming to this short conclusion, "That the genius of the imperial laws was repugnant to our constitution; and that nothing but the extreme jealousy of the barons, lest they might prove, in pleas of the crown, injurious to civil liberty, hath kept them from being received

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in *England* on the same footing that we every where find they are in the other countries of *Europe*, and as they are in *Scotland* to this day."

But, if you think I draw this conclusion too hastily, and without grounding it on sufficient premises, you may further consider with me, if you please, THE FATE AND FORTUNES OF THE CIVIL LAW IN THIS KINGDOM DOWN TO THE PRESENT TIME.

In the reigns of HENRY VII [t] and VIII, and the two first kings of the house of STUART,

[t] The speaker might have begun this account of the *fate and fortunes* of the civil law still higher. NAT. BACON, speaking of HENRY the Fifth's reign, observes, "The times were now come about, wherein light began to spring forth, conscience to bestir itself, and men to study the scriptures. This was imputed to the idleness and carelessness of the clergy, who suffered the minds of young scholars to luxuriate into errors of divinity, for want of putting them on to other learning; and gave no encouragement to studies of human literature, by preferring those that were deserving. The convocation taking this into consideration, do decree, that no person should exercise any jurisdiction in any office, as *vicar-general*, *commissary*, or *official*, or otherwise, unless he shall first in the university have taken degrees in the CIVIL OR CANON LAWS. A shrewd trick this was, to stop the growth of the study of divinity, and WICKLIFF's way; and to em-

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that is, the most despotic of our princes, the study of the civil law hath been more especially favoured; as we might conclude from the general spirit of those kings themselves, but as we certainly know from the countenance they shewed to its professors; from their chusing to employ them in their business, and from the salaries and places they provided for their encouragement. Yet see the issue of all this indulgence to a foreign law, and the treatment it met with from our parliaments and people! The oppressions of EMPSON and DUDLEY had been founded in a stretch of power, usurped and justified on the principles of the civil law; by which these miscreants had been enabled to violate a fundamental part of our constitution, the way of *trial by* JURIES. The effect on the

bellish men's minds with a kind of learning that may gain them preferment, or at least an opinion of abilities beyond the common strain, and dangerous to be meddled with. Like some gallants, that wear swords as badges of honour, and to bid men beware, because they possibly may strike, though in their own persons they may be very cowards. And no less mischievously intended was this against the rugged COMMON LAW, a rule so nigh allied to the gospel-way, as it favoureth liberty; and so far estranged from the way of the civil and canon law, as there is no hope of accommodation till Christ and Antichrist have sought the field." DISC. Part II. p. 90. *Lond.* 1739.

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DIALOGUE V.

people was dreadful. Accordingly, in the entrance of the next reign, though the authority, by which they had acted, had even been parliamentary, these creatures of tyranny were indicted of high treason, were condemned and executed for having been instrumental in subverting LEGEM TERRÆ; and the extorted statute, under which they had hoped to shelter themselves, was with a just indignation repealed.

Yet all this was considered only as a necessary sacrifice to the clamours of an incensed people. The younger HENRY, we may be sure, had so much of his father in him, or rather so far outdid him in the worst parts of his tyranny, that he could not but look with an eye of favour on the very law he had been constrained to abolish. His great ecclesiastical minister was, no doubt, in the secret of his master's inclinations, and conducted himself accordingly. Yet the vengeance of the nation pursued and overtook him in good time. They resented his disloyal contempt of the original constitution; and made it one of the articles against this *Roman* cardinal, "That he endeavoured to subvert *antiquissimas leges hujus regni, universumque hoc regnum* LEGIBUS IMPERIALIBUS *subjicere.*"

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From this time, the study of the civil law was thought to languish in *England*, till it revived with much spirit in the reigns of those unhappy princes who succeeded to the house of TUDOR. Then indeed, by inclination and by pedantry, JAMES I. was led to patronize and encourage it. And the same project was resumed, and carried still further, by his unfortunate son. I speak now from my own experience and observation. The civil lawyers were most welcome at court. They were brought into the Chancery and court of Requests. The minister, another sort of man than WOLSEY, yet a thorough ecclesiastic, and bigoted, if not to the religion, yet to the policy of *Rome*, gave a countenance to this profession above that of the common law. He had found the spirit, and even the forms of it, most convenient for his purpose in the STAR-CHAMBER and HIGH-COMMISSION court, those tribunals of imperial justice, exalted so far above the controul of the common law; and by his good will, therefore, would have brought the same regimen into the other branches of the administration. Great civilians were employed to write elaborate defences of their science; to the manifest exaltation of the prerogative; to the prejudice of the national rights

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and privileges; and to the disparagement of the common law. The consequence of these proceedings is well known. The most immediate was, that they provoked the jealousy of the common lawyers; and, when the rupture afterwards happened, occasioned many of the most eminent of them to throw themselves into the popular scale[u].

Yet, to see the uniformity of the views of tyranny, and the direct opposition which it never fails to encounter from the *English* law, no sooner had a set of violent men usurped the liberties of their country, and with the sword in their hands determined to rule despotically and in defiance of the constitution, than the same jealousy of the common law, and the same contempt of it, revived. Nay, to such an extreme was the new tyranny carried, that the very game of EMPSON and DUDLEY was played over again. The trial of an *Englishman* by his peers was disgraced and rejected; and (I speak from what I felt) the person imprisoned and persecuted, who dared appeal, though in

[u] It should however be observed, in honour of their patriotism, that "they afterwards took themselves out of it," when they saw the extremities to which the popular party were driving.

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his own case [w], to the ancient essential forms of the constitution. Under such a state of things, it is not to be wondered that much pains was taken to depreciate a law which these mighty men were determined not to regard. Invectives against the professors of the *English* laws were the usual and favoured topics of parliamentary eloquence. These were sometimes so indecent, and pushed to that provoking length, that WHITLOCKE himself, who paced it with them through all changes, was forced in the end to hazard his reputation with his masters, by standing on the necessary defence of himself and his profession [x].

I need not, I suppose, descend lower. Ye have both seen with your own eyes the occur-

[w] This alludes to the proceedings against the *eleven members* upon the charge of the Army. Sir JOHN MAYNARD was one of them. And when articles of high treason were preferred against him, and the trial was to come on before the lords, he excepted to the jurisdiction of the court, and, by a written paper presented to them, required to be tried by his peers according to *Magna Charta, and the law of the land.* See WHITLOCKE's *Memorials;* and a short pamphlet written on that occasion, called THE ROYAL QUARREL, dated 9th of *Feb.* 1647.—Sir JOHN was, at this time, a close prisoner in the Tower.

[x] See his speech, inserted in his *Memorials of English Affairs, Nov.* 1649.

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DIALOGUE V. rences of the late reign. Ye have heard the common language of the time. The practice was but conformable to such doctrines as were current at court, where it was generally maintained, that the king's power of dispensing with law, was LAW; by which if these doctors did not intend the *imperial* or *civil law*, the insult was almost too gross to deserve a confutation. It must be owned, and to the eternal shame of those who were capable of such baseness, there were not wanting some even of the common lawyers that joined in this insult.

I but touch these things slightly; for I consider to whom I speak. But if, to these examples of the nation's fondness for their laws, you add, what appears in the tenor of our histories, the constant language of the *coronation-oaths*, of the *oaths of our judges*, and, above all, of the *several great charters*; in all which express mention is made of the LEX TERRÆ, in opposition to every foreign, but especially the Cæsarean, law; you will conclude with me, "That, as certainly as the CÆSAREAN LAW is founded in the principles of slavery, our ENGLISH LAW, and the constitution to which it refers, hath its foundation in freedom, and, as such, deserved the care with which it

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hath been transmitted down to us from the earliest ages."

What think ye now, my good friends? Is it any longer a doubt, that the constitution of the *English* government, such I mean as it appears to have been from the most unquestioned annals of our country, is a free constitution? Is there any thing more in the way of this conclusion? or does it not force itself upon us, and lie open to the mind of every plain man that but turns his attention upon this subject?

You began, Mr. SOMERS, with great fears and apprehensions; or you thought fit to counterfeit them, at least. You suspected the matter was too mysterious for common understandings to penetrate, and too much involved in the darkness of ancient times to be brought into open day-light. Let me hear your free thoughts on the evidence I have here produced to you. And yet it is a small part only of that which might be produced, of that I am sure which yourself could easily have produced, and perhaps expected from me.

But I content myself with these obvious truths, "That the liberty of the subject ap-

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pears, and of itself naturally arose, from the very nature of the FEUDAL, which is properly (at least if we look no further back than the Conquest) the *English* constitution; that the current of liberty has been gradually widening, as well as purifying, in proportion as it descended from its source; that charters and laws have removed every scruple that might arise about the reciprocal rights and privileges of prince and people; that the sense of that liberty which the nation enjoyed under their admirable constitution was so quick, that every the least attempt to deprive them of it gave an alarm; and their attachment to it so strong and constant, that no artifice, no intrigue, no perversion of law and gospel, could induce them to part with it: that, in particular, they have guarded this precious deposite of legal and constitutional liberty with such care, that, while the heedless reception of a foreign law, concurring with other circumstances, hath riveted the yoke of slavery on the other nations of *Europe*, this of *England* could never be cajoled nor driven into any terms of accommodation with it; but, as NAT. BACON [y] said truly, *That the triple crown could never well solder with the English*, so neither could the *imperial*; and that, in a word, the ENGLISH

[y] DISC. Part I. p. 78.

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LAW hath always been preserved inviolate from the impure mixtures of the canon and Cæsarean laws, as the sole defence and bulwark of our civil liberties."

These are the plain truths, which I have here delivered to you, and on which I could be content to rest this great cause; I mean, if it had not already received its formal, and, I would hope, final determination, in another way. For no pretences will surely prevail hereafter with a happy people to renounce that liberty, which so rightfully belonged to them at all times, and hath now so solemnly been confirmed to them by the great transactions of these days. I willingly omit therefore, as superfluous, what in a worse cause might have been thought of no small weight, the express testimony of our ablest lawyers to the freedom of our constitution. I do not mean only the COKES and SELDENS of our time (though in point of authority what names can be greater than theirs?); but those of older and therefore more reverend estimation, such as GLANVIL, BRACTON, the author of FLETA, THORNTON, and FORTESCUE[z]: men the most esteemed and

[z] The reader may not be displeased to see the words of old FORTESCUE on this subject of the origin of the *English*

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learned in their several ages; who constantly and uniformly speak of the *English*, as a mixed and limited form of government, and even go so far as to seek its origin, where indeed the origin of all governments must be sought, in the free will and consent of the people.

All this I might have displayed at large; and to others perhaps, especially if the cause had required such management, all this I should have displayed. But, independently of the judgments of particular men, which prejudice might take occasion to object to, I hold it sufficient to have proved from surer grounds, from the very form and make of our political fabric, and the most unquestioned, because the most public, monuments of former times, "THAT

government, which are very remarkable. In his famous book *De laudibus legum Angliæ*, he distinguishes between the REGAL and POLITICAL forms of government. In explaining the *latter*, which he gives us as the proper form of the *English* government, he expresseth himself in these words—"Habes instituti omnis POLITICI REGNI formam, ex quâ metiri poteris potestatem, quam rex ejus in leges ipsius aut subditos valeat exercere: ad tutelam namque legis subditorum, ac eorum corporum et bonorum rex hujusmodi erectus est, et hanc potestatem A POPULO EFFLUXAM ipse habet, quo ei non licet potestate aliâ *suo populo dominari*." CAP. xiii.

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THE ENGLISH CONSTITUTION IS ASSUREDLY AND INDISPUTABLY FREE [a]."

BP. BURNET.

You will read, Sir JOHN, in our attention to this discourse, the effect it has had upon us. The zeal, with which you have pleaded the cause of liberty, makes me almost imagine I see you again in the warmth and spirit of your younger years, when you first made head against the encroachments of civil tyranny. The same cause has not only recalled to your memory the old topics of defence, but restores your former vigour in the management of them. So that, for myself, I must freely own, your vindication of our common liberties is, at least, the most plausible and consistent that I have ever met with.

[a] It may be of little moment to us, at this day, to inquire, how far the princes of the house of STUART were blameable for their endeavours to usurp on the constitution. But it must ever be of the highest moment to maintain, that we had a constitution to assert against them. Party-writers perpetually confound these two things. It is the author's purpose, in these two Dialogues, to contend for the *latter*.

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MR. SOMERS.

And yet, if one was critically disposed, there are still, perhaps, some things that might deserve a further explanation.—But enough has been said by you, Sir JOHN, to shew us where the truth lies: and, indeed, from such plain and convincing topics, that, whatever fears my love of liberty might suggest, they are much abated at least, if not entirely removed, by your arguments.

BP. BURNET.

Mr. SOMERS, I perceive, is not easily cured of his scruples and apprehensions. But for my own part, Sir JOHN, I can think but of one objection of weight that can be opposed to your conclusion. It is, "That, notwithstanding the clear evidence you have produced, both for the free nature of the *English* constitution, and the general sense of the *English* nation concerning it, yet, in fact, the government was very despotic under the TUDOR, and still more perhaps under the first princes of the STUART, line. How could this happen, may it be asked, on your plan, which supposes the popular interest to have been kept

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up in constant vigour, or rather to have been always gaining, insensibly indeed, but necessarily, on the power of the crown? Will not the argument then from historical evidence be turned against you, whilst it may be said that your theory, however plausible, is contradicted by so recent and so well-attested a part of our history? And, in particular, will not the partisans[b] of the late king and his family have to allege in their behalf, that their notions of the prerogative were but such as they succeeded to with the crown; and, whatever may be pretended from researches into remoter times, that they endeavoured only to maintain the monarchy on the footing on which it had stood for many successions, and on which it then stood when the administration fell into their hands? If this point were effectually cleared, I see nothing that could be further desired to a full and complete vindication of *English* liberty.

SIR J. MAYNARD.

Your lordship, I must own, has touched a very curious and interesting part of our subject. But you must not believe it was so much over-

[b] See the late History of England by DAVID HUME, esq.; who forms the apology of the house of STUART on these principles.

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looked by me, as purposely left for your lordship's better consideration. You, who have looked so minutely and carefully into the story of those times, will, better than any other, be able to unfold to us the mysteries of that affair. The fact is certain, as you say, that the *English* government wore a more despotic appearance from the time of the TUDOR family's accession to the throne, than in the reigns preceding that period. But I am mistaken, if your lordship will not open the reason of it so clearly as to convince us, that that increase of prerogative was no proof of a change in the constitution, and was even no symptom of declining liberty. I do not allow myself to speak my sentiments more plainly at present. But I am sure, if they are just, they will receive a confirmation from what your lordship will find occasion to observe to us in discoursing on this subject.

MR. SOMERS.

I will not disown that this was one of the matters I had in view, when I hinted some remaining doubts about your general conclusion. But I knew it would not escape my lord of SALISBURY, who, of all others, is certainly the most capable of removing it.

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BP. BURNET.

So that I have very unwarily, it seems, been providing a fine task for myself. And yet, as difficult as I foresee it will be for me to satisfy two such Inquirers, I should not decline that task, if I was indeed prepared for it, or if I could boast of such a memory as Sir J. MAYNARD has shewn in the course of this conversation. But the truth is, though I have not wanted opportunities of laying in materials for such a design, and though I have not neglected to take some slight notes of them, yet I cannot pretend to have them at once in that readiness, as to venture on such a discourse as I know you expect from me. But if, against our next meeting, I shall be able to digest such thoughts as have sometimes occurred to me when I was engaged in the History of the Reformation, I shall take a pleasure to contribute all I can to the further and more entire elucidation of this subject.

THE END OF THE THIRD VOLUME.

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